UNITED NATIONS

SECURITY COUNCIL
OFFICIAL RECORDS

THIRTY-EIGHTH YEAR

2428th MEETING: 31 MARCH 1983

NEW YORK

CONTENTS

	Page
Provisional agenda (S/Agenda/2428)	1
Adoption of the agenda	1
Letter dated 16 March 1983 from the Permanent Representative of Chad to the United Nations addressed to the President of the Security Council (S/15643) . . .	1

NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

Documents of the Security Council (symbol S/...) are normally published in quarterly *Supplements* of the *Official Records of the Security Council*. The date of the document indicates the supplement in which it appears or in which information about it is given.

The resolutions of the Security Council, numbered in accordance with a system adopted in 1964, are published in yearly volumes of *Resolutions and Decisions of the Security Council*. The new system, which has been applied retroactively to resolutions adopted before 1 January 1965, became fully operative on that date.

2428th MEETING

Held in New York on Thursday, 31 March 1983, at 10.30 a.m.

President: Sir JOHN THOMSON (United Kingdom of Great Britain and Northern Ireland).

Present: The representatives of the following States: China, France, Guyana, Jordan, Malta, Netherlands, Nicaragua, Pakistan, Poland, Togo, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zaire, Zimbabwe.

Provisional agenda (S/Agenda/2428)

1. Adoption of the agenda

2. Letter dated 16 March 1983 from the Permanent Representative of Chad to the United Nations addressed to the President of the Security Council (S/15643).

The meeting was called to order at 11.25 a.m.

Adoption of the agenda

The agenda was adopted.

Letter dated 16 March 1983 from the Permanent Representative of Chad to the United Nations addressed to the President of the Security Council (S/15643)

1. The PRESIDENT: In accordance with the decisions taken at the 2419th meeting, I invite the representatives of Chad and the Libyan Arab Jamahiriya to take places at the Council table; I invite the representatives of Egypt, the Ivory Coast, Senegal and the Sudan, to take the places reserved for them at the side of the Council chamber.

At the invitation of the President, Mr. Barma (Chad) and Mr. Treiki (Libyan Arab Jamahiriya) took places at the Council table; Mr. Khalil (Egypt), Mr. Essy (Ivory Coast), Mr. Sarré (Senegal) and Mr. Abdalla (Sudan) took the places reserved for them at the side of the Council chamber.

2. The PRESIDENT: I should like to inform members of the Council that I have received letters from the representatives of Benin, Democratic Yemen, Ethiopia, Gabon, Guinea, the Islamic Republic of Iran, Niger, the Syrian Arab Republic and the United Republic of Cameroon in which they request to be invited to participate in the discussion of the item on the agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the provisional rules of procedure.

At the invitation of the President, Mr. Soglo (Benin), Mr. Al-Alfi (Democratic Yemen), Mr. Ibrahim (Ethiopia), Mr. Boule (Gabon), Mr. Coumbassa (Guinea), Mr. Rajaie-Khorassani (Islamic Republic of Iran), Mr. Oumarou (Niger), Mr. El-Fattal (Syrian Arab Republic) and Mrs. Mairie (United Republic of Cameroon) took the places reserved for them at the side of the Council chamber.

3. The PRESIDENT: The members of the Council have before them document S/15649, which contains the text of a letter dated 21 March from the representative of Chad addressed to the President of the Council.

4. Mr. NGUAYILA MBELA KALANDA (Zaire) (*interpretation from French*): In my delegation's view, the case presented by Chad for the Council's consideration does not seem to be fundamentally different from a traditional border dispute.

5. Just as it is acknowledged that, in this type of conflict, *de facto* occupation, under whatever pretext, by a powerful neighbour of the contested area is illegal in itself, since it is based on a policy of force, contrary to the Charter of the United Nations and established international law, it is also acknowledged that such occupation is dangerous, as the reaction of the victim to such an escalation is to be feared.

6. Thus, the dispute under consideration boils down, in my delegation's view, to two aspects which members of the Council should bear in mind: the legal and the political.

7. Regarding the legal aspect, my delegation believes, along with a number of others which have preceded it in this debate, that the crux of the Chadian case relates to a problem concerning plotting the border between Chad and the Libyan Arab Jamahiriya. Both on the ground and in the texts which have been cited, the parties have contested each other's rights over a segment of territory commonly known as the Aouzou Strip, as described by the delegation of Chad in its statement before the Council [*2419th meeting*]. Therefore, without going into the details of the matter, which is now well known to all, my delegation wonders whether, for this kind of dispute, which is so clear-cut, the Council really ought to transform itself into a court of law and indulge in an exercise

READEX FICHE

of interpreting texts—some of them, furthermore, denounced and others declared non-existent—or whether, on the contrary, it would not do better to call for the application of Article 96 of the Charter and refer the dispute to the International Court of Justice for an opinion.

8. The delegation of Zaire believes that both the parties and the Council's credibility would gain from the Council's acting in accordance with that option, that is, placing the matter before the Court, as suggested, moreover, by the Minister for Foreign Affairs and Co-operation of Chad in his statement, in order to help re-establish the rights inherited from the colonial régimes.

9. The inviolability of colonial frontiers is not a figment of the imagination; it is a principle of law and one which is dear to the African nations. Not only does that principle exist—and resolution AHG/Res.16 (I), adopted at Cairo on 21 July 1964 at the Assembly of Heads of State and Government of the Organization of African Unity (OAU), is proof of that—but it retains its full force thanks to another principle just as dear: that of peaceful coexistence between States, great and small, of differing political, economic and social systems.

10. Faithful to the ideals of the Charter of the United Nations, the Republic of Zaire has made the principle of peaceful coexistence a framework within which its relations of friendship and co-operation with its neighbours develop harmoniously, on the basis of mutual respect, non-interference in the internal affairs of others and the peaceful settlement of disputes. That is why we consider that it is in the best interests of the parties concerned for them to behave in such a way that the force of these principles, which are the very foundation of relations among States, will be preserved for ever.

11. Settlement at both the bilateral and the regional levels having failed, there is now no alternative but to have recourse to judicial settlement, and for this the International Court of Justice would appear to be the most appropriate body. That is our first conclusion.

12. Regarding the political aspect of the question, the Council will recall that, in its complaint, Chad referred to the actual occupation of the Aouzou Strip by Libyan troops for the past several months. Since that is so, my delegation believes that this is a case of an unfriendly act and a pointless provocation, because it obviously violates the Charter of the United Nations, as well as established international law, and departs from traditional morality, which is, after all, the bedrock of international relations.

13. Nothing in contemporary international law allows anyone, great or small, to take the law into his own hands, except, of course, in self-defence, either individual or collective, as provided in the Charter. That is not the case here. The presence of Libyan troops on Chadian territory is unjustified in all respects. As we see it, this is unquestionably a threat to peace and security in the region. It is pointless to tell us that the ruling authority in N'Djamena is illegal or that this Chadian is not as good as that Chadian: all this is mere subterfuge, aimed at diverting our attention in this chamber from the essence of Chad's complaint.

14. Must the Council embark upon a procedure aimed at recognizing the legitimacy or the illegitimacy of the ruling authority in N'Djamena without at the same time interfering in the internal affairs of Chad? Just as another speaker said a few days ago, we in Zaire are not concerned with the colour or odour of Governments. What we are interested in is not what happens among the people of Chad within their national frontiers. What we are interested in is quite simple: it is the right to peace, the aspiration of Chad, this young nation in the heart of Africa, which has long been torn apart by a pitiless fratricidal war. It is high time for the international community to help Chad rebuild itself in peace, for the well-being of its people, who have suffered so much.

15. That is why we reached our second conclusion, to request the Council, as the primary body of the United Nations charged with the maintenance of international peace and security, to decide, first, that the Libyan occupation troops should immediately withdraw from the Aouzou Strip and from any other locality within Chadian territory, and secondly, that a neutral force should be sent to the Aouzou Strip in order to preserve peace and security in that region pending a substantive settlement of the dispute between the two countries.

16. I could not conclude my remarks without welcoming to New York Mr. Idriss Miskine, the Minister for Foreign Affairs and Co-operation of the sister Republic of Chad, a country with which my country, Zaire, has very close ties of sincere and fruitful friendship and co-operation.

17. Mr. MASHINGAIDZE (Zimbabwe): Sir, I wish, on behalf of the delegation of the Republic of Zimbabwe, to congratulate you most warmly on your assumption of the presidency for this very eventful month of March. We also wish to congratulate, through you, Mr. Troyanovsky, of the Union of Soviet Socialist Republics, who, as your predecessor, conducted the work of the Council with distinction during the month of February.

18. The present meeting of the Council has been occasioned by the request of the Government of Chad, which wants the Council to consider what has been referred to as "the extremely serious situation prevailing in Chad as a result of the occupation of a part of Chad territory by Libya and of repeated acts of aggression by that country against the people of Chad".

19. It is a matter both for regret and great concern that a dispute should exist between the two countries. We are concerned because, as was clear from the statements made by representatives of the two countries before the Council on 22 March [*2419th meeting*], the peoples of Libya and Chad are linked by history and geography. They therefore have a common destiny and nothing can change this reality. We are also concerned because both countries belong to the OAU and the Movement of Non-

Aligned Countries, two third-world organizations so dear to the peoples of Africa and the third world. These difficulties in the relations between the two OAU members come at a time when the OAU and the Non-Aligned Movement need the unity and co-operation of all their members in order to be able to resist and frustrate current efforts by the enemies of unity and solidarity among third-world countries to destroy the two organizations.

20. We must say, however, that as we listened to both parties to the dispute, we were greatly encouraged by their commitment and dedication to the principles of the OAU, the Movement of Non-Aligned Countries and the Charter of the United Nations.

21. Finally, our delegation has carefully considered the statements of the two parties to the dispute and has been greatly impressed and struck by the complexity of the issues involved. We are, however, very much encouraged by the desire of the parties to seek a peaceful solution to the dispute and by their willingness to avail themselves of the regional mechanisms for the peaceful settlement of disputes.

22. Mr. LING Qing (China) (*interpretation from Chinese*): We listened carefully to the statements made by the Minister for Foreign Affairs and Co-operation of Chad and the representative of Libya [*ibid.*].

23. The Chinese delegation has always maintained that differences and disputes among third-world countries should and can be settled peacefully and rationally through friendly consultations or negotiations, free from outside interference and in conformity with the principles of the Charter of the United Nations, especially the principles of mutual respect for independence, sovereignty and territorial integrity, non-interference in each other's internal affairs and mutual non-aggression. Both Chad and Libya belong to the third world and face the common task of developing their national economy, safeguarding sovereignty and consolidating independence. Their fundamental interests are identical. It is our hope that they will settle their differences and disputes through peaceful negotiations.

24. Over a period of time, the OAU has worked actively to mediate between Chad and Libya in the interest of maintaining solidarity among the African countries. We appreciate the efforts made by the OAU and sincerely hope it will continue to make contributions towards this end.

25. Mr. LOUET (France) (*interpretation from French*): My delegation has very carefully studied the statements made by the duly accredited and recognized representatives of the two parties, Mr. Idriss Miskine, Minister for Foreign Affairs and Co-operation of the Republic of Chad, Mr. Ali Treiki, the representative of the Libyan Arab Jamahiriya [*ibid.*]

26. Those statements have indisputably confirmed the existence of a border dispute between the two countries. Each of the parties has, on behalf of its Government, claimed the vast territory commonly known as the Aouzou Strip.

27. It is also undeniable that this dispute, which has for the past 10 years poisoned relations between Chad and Libya, could at any time cause serious incidents and provoke a conflict because of the presence in the zone and in the neighbouring area of the armed forces of the two countries. An aggravation of the present situation would be a threat to the stability of the region.

28. It is only natural, then, that one of the parties to the dispute should come before the Council, which, under the Charter of the United Nations, has primary responsibility for international peace and security. This initiative was all the more legitimate because, in recent years, neither direct negotiations between Chad and Libya nor the good offices of the competent regional organization, the OAU, have led to any progress towards a settlement.

29. Essentially, the problem is the determination of the border between Chad and Libya and to which country the Aouzou Strip belongs. As the former administering Power, France is bound to make its position on this question known. Speaking strictly from a legal point of view, it must note the soundness of the theses presented to us by the representative of Chad.

30. What can the Council do in connection with this dispute? We are convinced that, in the present circumstances, it can play a constructive role by appealing to the two parties through the President, who would speak on behalf of all of us. On the basis of that appeal, the OAU could resume its mediation efforts with a view to a final settlement.

31. But this is essentially a legal dispute. It is clear that there will be no lasting peace between the two countries until this dispute is settled. That is why France earnestly hopes that the two parties will agree to submit their border dispute to the International Court of Justice.

32. Allow me in conclusion to express the hope that strife-torn Chad will finally live in peace within the borders that France bequeathed to it on its independence in 1960.

33. Mr. SCHELTEMA (Netherlands): The Council has been seized of a complaint from Chad contained in documents S/15643 and S/15644. The representative of Chad asserts, *inter alia*, that "the Libyan Arab Jamahiriya is perpetuating its occupation of the north of Chad" and is "intensifying its actions with the aim of imposing on Chad a new government beholden to it" [*see S/15644*]. In reply, the representative of Libya maintains that "the Aouzou Strip is an integral part of Libyan territory" [*see S/15645*]. He also points out that Mr. Goukouni Weddey heads the legitimate Government of Chad. Statements made by the two representatives during the debate on 22 March [*2419th meeting*] reflect the points made in the above-mentioned documents.

34. From what has been said and written, my delegation draws the conclusion that the dispute between Chad and Libya centres essentially around two questions, namely, a border dispute between two sovereign States, and the legitimacy of one or the other of two contesting governments. Although events during the last years have demonstrated that the two aspects are interwoven, we think that the Council cannot but draw a distinction between them. The Council, acting under Chapter VI of the Charter of the United Nations, can call on States Members to settle their disputes by peaceful means. The choice of government is, however, the sole prerogative of the people of the country.

35. After years of civil strife and suffering, Chad once again looks forward to directing its efforts towards internal consolidation and economic development under the leadership of President Habré. For Chad to overcome its problems, we think it essential that all foreign intervention in that country cease and that economic assistance be provided by countries in a position to do so.

36. I wish now for a moment to turn to the subject-matter of the Chadian complaint—the occupation by the Libyan Arab Jamahiriya of a territory known as the Aouzou Strip. We have studied with care the document, dated 21 March, submitted by the Government of Chad and entitled "Memorandum concerning the occupation of Tibesti by Libya" [*S/15649*].

37. My first comment would be that, according to our information also, the French-Italian treaty of 1935 [*ibid., annex VII*], by which the Aouzou Strip was ceded to Italy, is devoid of legal force because an exchange of the instruments of ratification never took place. On the other hand, we understand that the parties are linked by the 1955 treaty between Libya and France [*ibid., annex X*]. This treaty became operative on 26 December 1956. It addresses itself specifically to the territorial dispute with regard to the Aouzou Strip. That is how we understand the legal position.

38. Subsequently, the dispute was discussed by the parties both in bilateral negotiations and within the framework of the OAU, which seemed the most appropriate forum to settle this question. The Libyan side throughout maintained its point of view that the disputed area is Libyan territory, thereby relying on commitments made by previous Chadian Governments.

39. Since the matter has been brought to the attention of the Security Council and since both parties have therefore agreed to co-operate with the Council in the search for a solution, the Governments of Chad and Libya have thereby agreed to settle their dispute by peaceful means. The Charter and the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations[1] stipulate that it is the duty of all States to seek early and just solutions to international disputes, including problems concerning frontiers of States, through negotiations or other peaceful means of their choice, such as mediation or resort to regional agencies. It should be left to the Governments of Chad and Libya, of course, to decide on the means best suited to the attainment of this objective.

40. However, considering the legal nature of the problem that has been presented to the Council, my delegation's preference would be that any procedures or methods the Council may deem it appropriate to recommend aimed at reaching a peaceful settlement include a recommendation that Chad and Libya agree to submit their territorial dispute to the jurisdiction of the International Court of Justice, as provided for in the Charter. This has been suggested by other delegations, and I hereby join them on this point. But irrespective of the means or the mechanisms to be adopted by the parties to the conflict, the Council's first priority must be to prevent the situation from worsening and from developing into a threat to the stability of the entire region. My Government therefore appeals strongly to both parties to refrain from any action that may aggravate the situation and to show strict respect for each other's territorial integrity and political independence, in observance of the principles of the Charter, pending the peaceful settlement of their dispute.

41. In so doing, we are prompted by our wish to see peace prevail in an area that needs all its available resources for the arduous task of overcoming the challenges with which it is confronted.

42. Mr. GAUCI (Malta): The question currently before the Council once again, for the second time in less than two weeks, unfortunately confronts us with another issue that is very near to Malta's doorstep. In fact, it involves a close neighbour in Africa, a continent whose past influence on Malta's national heritage and whose future importance for our international relations make it of primary importance to us.

43. It was against this background that we listened most attentively to the detailed statements made both by the Minister for Foreign Affairs and Co-operation of Chad and by the representative of Libya [*2419th meeting*]. Other countries directly or indirectly involved or with a contribution to make have already made statements and shed further light on the matter at issue. Much of the attention has concentrated on the origin of and prevailing situation in the area known as the Aouzou Strip.

44. My country would, in the first place, like briefly to emphasize how concerned and preoccupied we are at the persistence of a controversy between Chad and Libya. We have two main reasons: first, because of geographic proximity and the nature of the friendly relations that exist between Malta, on the one hand, and the two countries involved, on the other; and secondly, because of the heavy but unavoidable responsibility that we have to take an objective position in the Council in the face of a strongly held difference of opinion between two friendly countries, both of which are members of the Group of African States and the Movement of Non-Aligned Countries.

45. It is in the light of those considerations and that responsiblity that we wish briefly to put forward our objectively honest views, in the modest hope that this might influence future events in a positive direction.

46. The facts and the events which have been placed before the Council strengthen our intuitive feeling that the best way for the Council to assist both countries and to promote, without unreasonable delay, an amicable solution to any differences is, as a first step, to encourage and give new momentum to the dialogue that has already started at the regional level.

47. We have been reminded by both countries concerned, as well as by representatives of other African countries, that this issue is still open for discussion before the OAU. We have also been made to understand that the Chad-Libya dispute is one of the items on the agenda of the forthcoming Assembly of Heads of State and Government of the OAU, to be held shortly—next June, in fact—at Addis Ababa. Obviously, much thought and effort have already been expended on this issue by the organization primarily concerned.

48. That therefore confirms our understanding that efforts are still being made to resolve the issue in the regional context. It is thus all the more appropriate that, at least until these efforts are concluded, the Council should at this stage refrain from taking a definite stand on the issue. Instead, in accordance with Article 33, paragraphs 1 and 2, of the Charter of the United Nations, it should encourage the countries concerned, as well as the OAU and other interested regional bodies, to seek a mutual and amicable solution in the shortest possible time.

49. We can readily understand the chafing of any country at undue delay in the resolution of a problem on which it feels it has a convincing position, and we therefore feel that a declaration by the President of the Council should be designed to give impetus, momentum and encouragement both to the countries concerned, in the first place, and to the regional organization concerned, in the second place, in order that an amicable solution may be found without undue delay.

50. In this regard, while not diminishing in any way the role and the final responsibility which reside in the Council to bring *rapprochement* in potentially dangerous situations between contending countries, my own country cannot but emphasize the great responsibility which, in a smaller regional context, other neighbours of Chad and Libya and, in a larger regional context, all the member countries of the OAU have to contribute their imaginative efforts to bringing this long-drawn-out issue to an early, successful and amicable solution under any one of the many options provided for in accordance with Article 33 of the Charter of the United Nations.

51. In our prior statements before the Council, whenever we were discussing other unfortunate conflicts, my country has consistently stressed, without any ambiguity, the concept that it is the regional States themselves which bear the first and primary responsibility for safeguarding the peace and security of their own region.

52. Today we would like to reiterate this fundamental concept. We are convinced that this precept is invaluable for the African continent as it seeks to overcome the difficulties inherited from the colonial era and to secure the dignity, progress and freedom which every single nations seeks and strives for.

53. For its own modest part, Malta has given its full support to the political, economic and social development of the peoples of Africa in the past and will continue to do so in future. At this point in time, and on this particular issue, we would like earnestly to appeal to both parties to take the invaluable hand of assistance which the OAU has already extended. The opportunity which the OAU is offering to resolve, in a spirit of friendship and reconciliation, the differences that exist should be grasped immediately and without hesitation. It is, after all, as both Chad and Libya have themselves pointed out, in their common interest to do so, since the people of the two countries have every reason to co-operate and to prosper in peace and good-neighbourly relations.

54. As for those other African countries which are indirectly involved, we appeal to them to give generously all their friendly assistance in order to solve this and other issues for the prosperity of their region in particular. Extraneous considerations should not be allowed to impede progress.

55. We firmly support the right of any country at any time to bring its concerns before the Council. Once these are made known and both sides heard, a pronouncement by the Council would serve as an impetus to progress. After studying the declarations made by both sides, my delegation feels that there is much common ground on which to build a preliminary consensus. As a concerned but disinterested party, in common allegiance with other countries to the principles of non-alignment, and as a contribution to the work of the Council, we have worked privately and persistently to put forward on paper what we feel to be a constructive prescription for progress. We hope that, once agreed on and pronounced, its substantive objectives will be assidiously pursued by the parties concerned so that very soon the Council will be informed, as it has been in some other instances, that its wise counsel has produced the desire results, from which none would benefit more than the friendly countries of Chad and Libya.

56. The PRESIDENT: The next speaker is the representative of Benin. I invite him to take a place at the Council table and to make his statement.

57. Mr. SOGLO (Benin) (*interpretation from French*): On behalf of my delegation, I should first of all like to extend our congratulations to you, Sir, on your accession to the presidency for the month of March. We are particularly pleased to see you presiding over the Council,

since you represent a great country, the United Kingdom of Great Britain and Northern Ireland, with which the People's Republic of Benin enjoys the most cordial relations. With your eminent qualities as a seasoned diplomat, your great experience and your wisdom, you have been able to conduct the work of the Council during this month to the satisfaction of all.

58. I take this opportunity to express to Mr. Troyanovsky, the representative of the Soviet Union, our whole-hearted appreciation for the noteworthy way in which he presided over the Council last month.

59. A dispute between two African countries, both members of a regional organization, the OAU, a border dispute, the origins of which go back to the murky colonial past, has been brought before the Council, whose main purpose is to find effective solutions to problems and situations which endanger international peace and security.

60. Since Chad acceded to national sovereignty, it has never known civil peace. A number of factions—no fewer than 11 officially identified—are disputing for power. Many decades of fratricidal struggle have accentuated these rivalries and devastated the country. The ostensible calm which hovers over—or, rather, should I say weighs upon—N'Djamena does not extend beyond the capital of Chad. The fact that one of these factions is now in power has not ushered in the peace for which the Chadians have been aspiring for 20 years now. It has, indeed, not brought reconciliation between the sons of this country nor settled what is the most urgent matter in the eyes of the international community, namely, the elimination of famine, deprivation, poverty and the suffering of a people who threw off the shackles of colonialism only to fall into the hideous nightmare of a civil war fomented by international imperialism.

61. In these circumstance, my delegation cannot remain indifferent. We intend, with our characteristic impartiality and objectivity, to make the following comments. The first question which arises is precisely whether this is the right time or place for the dispute between Chad and Libya to be discussed.

62. Obviously it is not the most appropriate time. Urgent tasks await us. What the people of Chad are waiting for from its leaders is, first of all, a solution of its most elementary needs, and, secondly, the definition and implementation of a genuinely national policy which can win over all factions, all strata of the population, whether they be in the north, the centre or the south, a policy of national reconciliation, which is the only one able to promote the economic, social and cultural development to which they aspire. Nothing great can be done in an atmosphere of disunity and, *a fortiori*, when the intention is to wage a national struggle and to mobilize all energies and when the determination of each and every one is the best possible weapon.

63. The correct place to deal with this matter is not here, it would appear. It is not my intention to deny the Council's right to pass judgement on a question that affects the peaceful settlement of a dispute between States. However, it should be done in the spirit of the Charter of the United Nations, which stipulates, in Article 33, that:

> "1. The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all,"—and I should like to stress the words "first of all"—"seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.
>
> "2. The Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means."

64. Before the matter was brought before the Council, had all possible means of negotiation been exhausted? True, before the Council was called upon for arbitration, the good offices of a third party, namely, the OAU, were indeed sought. But, before referring the issue to the Council did one wait for the conclusions of the *Ad Hoc* Committee that was set up by the OAU?[2] What body, if not the OAU, is in the best position to know about the question of Chad? Is there a body more appropriate than the OAU, a regional organization to which both Libya and Chad belong, in which to discuss, mull over and, in a purely African way, seek an African solution to a dispute between two African brothers?

65. As far as I know, the OAU has not been relieved of, nor has it set aside, the issue of Chad, which has always occupied a prominent place on its agenda. The frontier dispute between Chad and Libya is not something that sprang up just yesterday: it goes back to the murky colonial past. Those who, in 1885, in Berlin, divided up Africa did not split it up into exact portions. They squabbled like children around a cake and bequeathed us problems which they were unable to settle among themselves. The Franco-British Convention of 14 June 1898, the Additional Declaration of 21 March, 1899, the Franco-Italian Agreements of 1 November 1902 and the Treaty of Friendship and Good-Neighbourliness between the French Republic and the United Kingdom of Libya of 10 August 1955, as well as the Laval-Mussolini treaty (Treaty of Rome) of 7 January 1935 [*S/15649, annexes I, II, III, X and VII, respectively*], while not all necessarily leonine or unequal treaties, at least demonstrate the difficulties involved in reaching agreement on the precise contours of a frontier.

66. Border disputes in Africa and other parts of the world are abundant, and it is heartening indeed that they have not all been brought before the Council and that other means recognized and recommended by the Charter of the United Nations have been used, namely, conciliation, negotiation, good offices, arbitration and mediation. Therefore, if this is neither the time nor the place to bring up a problem the settlement of which depends, first and foremost, on agreement between the

two parties, how are we then to understand and construe the act of Chad?

67. We believe the Council has been seized of this problem in an attempt by the present leaders in N'Djamena to legitimize their authority and as a result of the manoeuvres of international imperialism.

68. First and foremost, there has been an effort to disguise the real nature of the problem of Chad as it really stands today, both domestically and in the diplomatic context. The power at present enthroned in N'Djamena sorely needs legitimacy. It has been challenged and even fought domestically by the leaders of the Transitional Government of National Unity, who themselves proclaimed the legitimacy that was conferred upon them by the OAU through the Lagos Accord [*S/14378, annex I*]; it has not been recognized diplomatically by a large number of States which charge it with having infringed the agreements to which its leaders had subscribed. It is not my intention to discuss here the legality or legitimacy of the power at present ruling in N'Djamena. The heads of African States, eager as they are to preserve peace and concord, at a given time in history gave Chad a government, the Transitional Government of National Unity, and it will be for them to decide what has become of it in the present circumstances. If that is not done, it will be difficult for the People's Republic of Benin to follow in the path of those who, on the basis of *de facto* power, have recognized the present régime in N'Djamena and sought to drag others along with them when, for the most part, and paradoxically, they are the self-same ones who recognize the leaders who were placed in Phnom Penh, the Pol Pot clique, who were ousted from power for having committed the most monstrous crimes of history.

69. Secondly, this debate is far too convenient not to be involved in this campaign of hostility that international imperialism, hanging on the coat-tails of progressive and revolutionary countries, is waging against Libya and its revolution. As a popular saying goes, "when you want to drown your dog, you say it has rabies". Translated into diplomatic language, this means that, in the eyes of the international community, it is easier to raise one's voice against an outlaw than against an honest person.

70. The People's Republic of Benin refuses to be involved in this campaign. It does not intend to acquiesce in it. We deplore it and condemn it.

71. Africans have already given the world numerous examples of the way in which they resolve their quarrels. This often includes high feelings, verbal excesses and sometimes, unfortunately, even military confrontations; but in the end wisdom and dialogue triumph. It is this dialogue which the People's Republic of Benin invites Chad and the Libyan Arab Jamahiriya to undertake. They will be given an opportunity to do this next June at Addis Ababa at the session of the Assembly of Heads of State and Government of the OAU, which will bring together this great African family.

72. Ready for revolution. The struggle continues.

73. The PRESIDENT: The next speaker is the representative of Democratic Yemen. I invite him to take a place at the Council table and to make his statement.

74. Mr. AL-ALFI (Democratic Yemen) (*interpretation from Arabic*): Mr. President, at the outset I should like to express our appreciation for the manner in which you are conducting the work of the Council during the month of March.

75. Last month, the Council was convened to consider United States provocations against the Libyan Arab Jamahiriya. Numerous delegations, including my own, participated in that debate [*2416th meeting*]. The majority of the delegations which spoke then were unanimous in their strong condemnation of United States provocation against the Libyan Arab Jamahiriya. They affirmed their solidarity with and support for the Libyan Arab Jamahiriya in confronting the terrorist, aggressive policy pursued by United States imperialism against the people of the Jamahiriya, who have opted for an independent approach to socio-economic development and resistance to United States imperialism in the Arab region.

76. It is regrettable that the Council is meeting today to debate a groundless complaint against the Libyan Arab Jamahiriya, which has been accused of committing aggression, when a month ago the international community represented in the Council acknowledged that Libya was the victim of aggression and threat.

77. The linkage of these two occasions affirms that the United States Administration, having failed by all means of force, terrorism and pressure to intimidate the Libyan people and make it abandon its principle of resisting United States imperialism and the United States policy of aggression in the Arab region, and having unmasked its schemes to impose its hegemony on the peoples of the region and plunder their riches and wealth, has resorted to maligning the Jamahiriya and its leadership by prompting its lackeys in the region to make groundless charges that it promotes in the United States mass media in a deliberate attempt to divert the attention of the international community from the main source of tension, instability and destabilization in the entire world, that is, the imperialist forces, headed by United States imperialism, which jeopardize the security and stability of all peoples yearning for liberty and independence, as well as the liberated States, including the Libyan Arab Jamahiriya, struggling to consolidate their independence.

78. The other day we listened very carefully to the statement of the representative of the Libyan Arab Jamahiriya on the issue before the Council [*2419th meeting*]. We have also studied the letter from the representative of the Libyan Arab Jamahiriya to the President of the Council, dated 17 March [*S/15645*].

79. We draw the following conclusions. First, the issue under discussion is a case of interference in the internal

affairs of the Libyan Arab Jamahiriya, especially because the Aouzou Strip, as affirmed by the representative of the Libyan Arab Jamahiriya, is an integral part of Libyan territory. Secondly, the Libyan Arab Jamahiriya has categorically rejected allegations that it is occupying any part of Chadian territory and has stated that it has no ambitions whatsoever regarding the territory of other States. Thirdly, the Jamahiriya has striven to maintain the fraternal and good-neighbourly relations which link the Libyan and Chadian peoples, and it has consistently sought to preserve the unity, security and stability of the people of Chad and has endeavoured to put an end to the tragedy which has been afflicting that people since the early 1960s. Fourthly, the problem of Chad is among the issues which are being dealt with by the OAU, to which end that organization has established an *ad hoc* committee,[2] on the level of heads of State. Fifthly, the Libyan Arab Jamahiriya has stated its readiness to discuss bilateral relations between the two countries within the framework of the Good Offices Committee between Libya and Chad established by the OAU at the fourteenth session of the Assembly of Heads of State and Government, held at Libreville in July 1977.

80. Democratic Yemen, reaffirming its solidarity with the Libyan Arab Jamahiriya in confronting United States military provocation, calls upon the international community to stand by the Jamahiriya as it confronts all the imperialist designs aimed at undermining its independence, sovereignty and territorial integrity and at interfering in its internal affairs. Democratic Yemen, further, condemns all United States attempts, either direct or through its lackeys in the region, to commit acts of aggression against Libyan territory. At the same time, Democratic Yemen reaffirms its confidence in the ability of the fraternal people of the Libyan Arab Jamahiriya to stand up to imperialist provocations of the United States designed to compromise Libya's freedom, independence and sovereignty.

81. The PRESIDENT: The next speaker is the representative of Guinea. I invite him to take a place at the Council table and to make his statement.

82. Mr. COUMBASSA (Guinea) (*interpretation from French*): Sir, my very first words will be to congratulate you warmly, on behalf of my country, the Revolutionary People's Republic of Guinea, on your assumption of the presidency of this important organ and on the remarkable way in which you have conducted the Council's debates on problems whose importance will elude no one.

83. Your country, the United Kingdom of Great Britain and Northern Ireland, maintains relations of fruitful and friendly co-operation with my country. I am convinced that your talent as an experienced diplomat and your great experience in international affairs, combined with your profound devotion to just causes, will serve as an invaluable guarantee in the search for a peaceful solution to the disturbing problem which has been placed before the Council. That is why we are so happy to see you at the head of this organ, to which falls the awesome but exalting role of maintaining peace and security in the world.

84. We wish to take this opportunity also to present our compliments and to express all our appreciation to your predecessor, Mr. Troyanovsky, the representative of the Union of Soviet Socialist Republics, for the distinguished and honourable way in which he conducted the Council's discussions in February.

85. Mr. President, I should like finally to express to you personally and, through you, to the members of the Council, my country's gratitude for the honour you have done it by inviting its representative to participate in the debate in the Council on the dispute between two fraternal countries of the Muslim world, Chad and Libya, both of them members of the OAU.

86. My delegation has listened with the greatest interest to the statements of the two parties, Chad and Libya [*2419th meeting*], as well as to those of the representatives who have spoken before us. The Minister for Foreign Affairs and Co-operation of Chad, Mr. Idriss Miskine, in his statement of 22 March, set out before members of the Council incontestable historical facts which have such an obvious legal foundation that it would be difficult to attempt to ignore the great light shed on the border dispute between his country and Libya.

87. Like most of those who have spoken before it, the delegation of the Revolutionary People's Republic of Guinea believes that a border dispute between two States is not to be confused with the question of the legitimacy of the representatives of either of those States. It is for the people and the people alone, as supreme arbiter of all legality, to judge the legitimacy of its representatives. The question of Chad remains one of the priority concerns of the OAU. This is borne out by the many resolutions adopted unanimously at both regular and special sessions and by the establishment of an *ad hoc* committee with the responsibility of achieving a peaceful settlement of the dispute between Chad and Libya, thus testifying to Africa's determination to promote a policy of good-neighbourliness among its States.

88. President Ahmed Sékou Touré, one of the founding fathers of the OAU, during an interview in August 1982, in reply to a question by a reporter concerning the role the OAU should play in Chad, stated:

> "The OAU has an important role to play in Chad. Our brother, Hissein Habré, finally won a victory. He immediately agreed that, under the aegis of the OAU, a political reconciliation should take place. Thus, brother Hissein Habré is acting within the OAU framework, because his initiative aimed at national reconciliation is in keeping with the Lagos Accord [*S/14378, annex I*]. The OAU must lend all its support to brother Hissein Habré, and thus to the people of Chad, who will be the beneficiaries of a political reconciliation between the two sides, because the problem of Chad has never been a military problem. It is a political problem. Therefore, if it is settled politi-

cally the peace and security needed for the well-being of the people of Chad will become a reality; that would be to the credit of the OAU and of all Africa."

89. Thus, we believe that the question under discussion is not that of the representativity or non-representativity of a State, but rather that of respect for the inviolability of the borders inherited from the colonial era. In the case before the Council, it must be recalled that at the Assembly of Heads of State and Government of the OAU, held at Cairo in July 1964, with the participation of what was then the United Kingdom of Libya and Chad, resolution AHG/Res.16 (I) was adopted [*S/15649, annex XII*], which stated, in paragraph 2, that: "all member States pledge themselves to respect the borders existing on their achievement of national independence".

90. The letters that have been addressed to you, Sir, both by Chad and the Libyan Arab Jamahiriya through their respective representatives, undeniably indicate that there exists, under Article 33 of the Charter of the United Nations, a dispute which, if it continues, will threaten peace in Africa and international security. For that reason, we call upon our Chadian and Libyan brothers to help the OAU exercise its good offices. We also call on the Council to exercise its full authority, in keeping with Article 52 of the Charter, to restore peace between two fraternal countries, Chad and Libya.

91. I shall conclude by reaffirming the position of my country as set forth by President Ahmed Sékou Touré, when he stated, on 25 February 1982:

"The position of the Revolutionary People's Republic of Guinea is that we must consider exclusively the interest of the people of Chad and serve the cause of that people to help them speedily regain peace, which is the basic condition for the preservation of the life of its citizens and for the safeguarding of its material goods."

92. We thus make an urgent appeal to the international community, and in particular to Africa, to monitor the development of the situation in Chad and to adopt a responsible attitude, with a view to fulfilling the legitimate hopes of the people of Chad—through the effectiveness of the specific action to be undertaken for their benefit—for scrupulous respect for that country's sovereignty and territorial integrity.

93. The PRESIDENT: The next speaker is the representative of Niger. I invite him to take a place at the Council table and to make his statement.

94. Mr. OUMAROU (Niger) (*interpretation from French*): Mr. President, we should like sincerely to congratulate you on what you have accomplished during this month which you have undoubtedly found a little long, in view of the amount of effort, talent, far-sightedness and concentration which you have had to display in order to conduct the lengthy and delicate consultations that you have presided over almost every day.

95. This is something that deserves and justifies all the praise unanimously lavished upon you and that illustrates the durability of the good values and traditions of which your great country, the United Kingdom of Great Britain and Northern Ireland, has been the cradle throughout its prestigious history. My delegation would like to associate itself with that praise and say also how grateful we are that you have given us permission to take part in this discussion on the question concerning Libya and Chad which is before the Council today.

96. I should like to congratulate Mr. Oleg Troyanovsky, the representative of the Union of Soviet Socialist Republics, for the admirable way in which he presided over the Council in February.

97. As you may surmise, Sir, Niger is not taking part in this debate to play at being a judge or to stir up animosities: Libya and Chad are two fraternal countries, both equally dear to us and with which we share such constant fundamentals as geographical proximity and the fact of belonging to the same particularly harsh continental area which has resulted in a mingling of our peoples that can be seen in many facets of our life. We are fighting with them on the same front and for the same aims, within the OAU, the Organization of the Islamic Conference and the Movement of Non-Aligned Countries, groupings whose charters, as the Council is aware, advocate peace, lateral co-operation and the collective struggle for the freedom, dignity and rehabilitation of our peoples.

98. This indicates the concern with which we have followed and continue to follow the tumultuous development of relations between these two countries; how much we deplore the insecurity and the politico-military tension that at present afflicts their hard-working peoples; and how much we thus regret that today they have had to cross swords verbally in this chamber where, in the past, we have seen them fight side by side to defend the principles governing coexistence among nations.

99. Therefore, in this dilemma, which is rather reminiscent of Corneille, what drop of truth can we distil? Between Chad, which forcefully affirms, and Libya, which unaffectedly denies, how much latitude does the Council have?

100. I may hazard a reply later to these delicate questions. But let us first, without any pleasure, observe that it appears rather too often that, in spite of the pertinent provisions of the Charter of the United Nations and in spite of the many agreements, treaties and conventions, frontiers and the fact of being neighbours are still today both the best and the worst of things. When they work, everything works and States can calmly attend to their vital business. But when they go wrong, then there is a serious fear for the peace and security of all. Unfortunately, there is a long list in the Council's annals that can bear out these disturbing assertions. And, Sir, have you not just closed a very long and wearisome debate on a burning problem in Latin America, where similarities are not lacking, but which, all things considered, again boils down to an unfortunate question of frontiers? This

means that it is high time in this case, for the prestige of the relevant texts and for the authority of this institution, for the Council to give serious thought to setting up preventive measures the better to ensure the tranquillity of our States.

101. This being so, it is easy to see how swift agreement could possibly be reached on a new series of provisions, including the principle of the inviolability of the territorial integrity of States, to be reaffirmed and strengthened by a complementary formulation that would, for example, solemnly state that such integrity was irrevocably and solely based on the frontiers laid down by agreements, treaties or conventions, unless those frontiers had been defined and passed down, during accession to independence, by the previous administering Power.

102. Such a provision, or at least a variant of it, appears in the Charter of the Organization of African Unity, where, unfortunately, it is gathering dust since there is no adequate arbitration to underpin it. On the other hand, it could be fully operative in the United Nations, provided that the Council did its job and requested that, as a working basis, the Organization should once and for all finally get down to something it sorely needs—a meticulous surveying and patient authentication of State frontiers, as defined in the pertinent juridical texts, in order to produce a map of the world, a sort of illustrated chart, that would be a universal reference document that was indisputable and unchallengeable. For its prestige and for its authority, the United Nations needs more than maps found in atlases and in universities. This is no doubt a gigantic and delicate task, but it is perfectly feasible and in keeping with the calling of the United Nations: the maintenance of world harmony and the protection of peace.

103. As to the actual point at issue, we call upon the parties involved to observe moderation, and, at the same time, we encourage them strictly to respect the rules of good-neighbourliness and to observe certain precepts of peace. These are: faithful respect for frontiers inherited from colonization; non-resort to the threat or use of force in order unilaterally to settle a dispute; non-intervention in each other's internal affairs; cessation of politico-military tension in the disputed area; and embarking in good faith on talks and negotiations in order to remove obstacles and misunderstandings by resorting to arbitration, offered as a matter of goodwill by regional organizations, and to the good offices of the Secretary-General of the United Nations.

104. Perhaps because we are a small country and perhaps because, by temperament, we have neither military ambition nor expansionist urges, we believe that the countries of the world would find it easy to get along with one another if each were content with its own internationally recognized territorial patrimony and were to develop it for the well-being of all, in the spirit of mutual assistance and co-operation.

105. Chad, a poor country with very rugged conditions, a country that has just emerged from a long fratricidal and destructive war, and Libya, a country whose conditions are no less difficult but which nature has endowed with considerable resources, undoubtedly have other things to exchange than death-dealing devices, other forms of neighbourliness than exhausting, repeated political discord and the escalation of dangerous, uncontrollable tensions on their frontier. We would encourage them to embark upon efforts quickly to gain peace, put an end to bitterness and bring about a more fruitful coexistence conducive to détente and tranquillity in our region. We are grateful that they have expressed their will to resort to dialogue, which bears witness to their concern, and we exhort them to do so unconditionally and without delay.

106. The PRESIDENT: The next speaker is the representative of Gabon. I invite him to take a place at the Council table and to make his statement.

107. Mr. BOULE (Gabon) (*interpretation from French*): At the outset, Sir, allow me to extend to you the congratulations of the delegation of Gabon on your assumption of the presidency for the month of March. We are familiar with your talents as a skilful and experienced diplomat. For that reason we are sure that under your enlightened leadership our debate will be one of real substance and will, we hope, be crowned with success.

108. I would like to take this opportunity to extend the congratulations of my delegation to your predecessor, Mr. Troyanovsky, the representative of the Union of Soviet Socialist Republics, for the dignified and effective manner in which he conducted the proceedings of the Council during the month of February.

109. Finally, I should like to thank all the members of the Council for allowing the delegation of Gabon to take part in the debate on the border dispute between Chad and the Libyan Arab Jamahiriya.

110. As certain delegations have already mentioned in the course of the debate, this is not the first time that Gabon has considered this delicate matter. My country has always wanted to promote a climate of peace and concord in Africa in general, and in central Africa in particular, for that is where our country is situated.

111. For that reason, on the initiative of the President of Gabon, Mr. Omar Bongo, then the Acting Chairman of the OAU, an *ad hoc* committee was created[2] to seek ways and means of resolving the dispute that is the subject of this debate. That committee was made up of Algeria, Gabon, Mozambique, Nigeria, Senegal and the United Republic of Cameroon. At its meetings held at Libreville from 10 to 12 August 1977, the committee adopted a recommendation, the operative paragraph of which recalled paragraph 1 of OAU resolution AHG/Res.16(I), adopted at Cairo on 21 July 1964 [*ibid.*]. Paragraph 2 of that resolution states that: "all member States pledge themselves to respect the borders existing on their achievement of national independence".

112. The Charter of the Organization of African Unity, to which both parties belong, stresses the inviolability of

the borders inherited from the colonial period. Furthermore, in the consideration of border disputes between African countries, it is customary to refer to the Powers that administered the territories during the colonial period—in this case, France and Italy.

113. There exists a rather wide range of international agreements on the subject of Libya and Chad that were concluded during the colonial period. Many of the delegations here present have in their statements mentioned, *inter alia*, the Franco-British Convention of 14 June 1898; the Franco-Italian Agreements of 1 November 1902 and the Treaty of Friendship and Good-Neighbourliness between the French Republic and the United Kingdom of Libya of 10 August 1955 [*S/15649, annexes I, III and X, respectively*].

114. But the treaty that is of interest here is the Treaty of Rome on the settlement of the interests of Italy and France in Africa, better known as the Laval-Mussolini treaty [*ibid., annex VII*]. That treaty, which was signed on 7 January 1935, was to give Italy the territory we are now discussing. Now, while that treaty was signed—and this is readily recognized by Chad—it was never the subject of an exchange of instruments of ratification between France and Italy, which means that it has no legal status. Moreover, as far as my delegation knows, neither France nor Italy has ever recognized it.

115. Libya's occupation of the Aouzou Strip not only flagrantly violates the principles of the Charter of the Organization of African Unity, which proclaims the inviolability of the borders bequeathed by the colonial administration, but also calls into question the conventions signed by the former administering Powers. This occupation is, finally, a violation of the Charter of the United Nations, which calls for the settlement of disputes among Member States by peaceful means.

116. Gabon objects to any flouting of these principles and supports Chad's just cause. Chad requires nothing more than respect for its borders and its territory.

117. My delegation is very concerned about the situation in the Aouzou Strip. We fear that its continuation will only cause further border disputes of a similar nature elsewhere in Africa, and in its wisdom the OAU has tried to prevent that. Africa, which has had its fill of conflicts, hardly needs any further strife.

118. In addition, it must be realized that even minor local disputes today have a tendency to acquire international dimensions. Hence, we may consider that this situation, though at present only local, poses an inherent threat to international peace and security.

119. My delegation therefore appeals to Libya to take a reasonable stand and to withdraw its troops from the Aouzou Strip, thereby enabling Chad once again to extend its sovereignty over its entire territory. The Chadian people who have suffered the hardships of a fratricidal war, now need to mobilize their remaining energies and resources in a more constructive cause, that of development. And in order to do that, they have need of that condition that is indispensable to harmonious development, namely, peace.

120. The PRESIDENT: The next speaker is the representative of the United Republic of Cameroon. I invite her to take a place at the Council table and to make her statement.

121. Mrs. MAIRIE (United Republic of Cameroon) (*interpretation from French*): May I first convey to you, Sir, my warm congratulations on your accession to the presidency for the month of March and for the very talented, subtle and dynamic manner in which you have guided the extremely delicate deliberations in which the Council is now engaged. Thanks to your wealth of experience and your profound knowledge of international affairs, the Council will, I am certain, be able to arrive at effective solutions that will meet the expectations of the international community.

122. I should also like to congratulate Mr. Oleg Troyanovsky, the representative of the Union of Soviet Socialist Republics, for the qualities he displayed last month when presiding over the Council.

123. Finally, may I express my gratitude to all the Council members for having done me the honour of inviting me to speak for the first time in this prestigious international body during a debate that is of considerable interest to my Government since it pits against each other two fraternal countries with which Cameroon has the best possible relations of friendship and co-operation.

124. We are taking part in this debate not to stir up any sterile controversy but out of a genuine desire to encourage both parties sincerely to seek a peaceful solution to their dispute in accordance with the principles of the Charter of the United Nations and of the Charter of the Organization of African Unity, principles to which both parties have subscribed in the context of our great family of non-aligned nations.

125. Above all, however, it must be made clear that, as we see it, the problem now before the Council was very clearly described by the Minister for Foreign Affairs and Co-operation of Chad, Mr. Idriss Miskine, in his statement on 22 March [*2419th meeting*]. What Chad wishes to do is to recover a part of its territory that has been occupied by military force. The problem thus has no connection whatever with the legitimacy of the Government at present in power in N'Djamena. The choice of the Chadian Government is the exclusive province of the people of Chad.

126. Cameroon, which recognizes only States, enjoys the best possible relations of co-operation and friendship with the Government of President Hissein Habré, which is making praiseworthy efforts to restore the national unity and peace Chad so grievously needs. Indeed, since we have to a large extent shared the sufferings of the

fraternal people of Chad, we Cameroonians can bear witness to the cruel tragedy that has nearly compromised Chad's very existence as a State.

127. We are convinced that the international community, which has been standing impotently by as a witness to this indescribable tragedy, will now be able to appreciate the need to make an effective contribution to restoring peace in this part of Africa and enabling the heroic people of Chad finally to devote all their resources to development and to controlling their future free from any external interference.

128. This means that we must do everything we can to induce the Governments of Chad and Libya to come back to the negotiating table, as they have attempted to do on a number of occasions in the past.

129. Such a negotiation should, as we see it, be facilitated by the existence of principles that have been laid down by the OAU, particularly the principle of the inviolability of the frontiers inherited from the colonial period, in accordance with resolution AHG/Res.16 (I), adopted at Cairo on 21 July 1964 [*S/15649, annex XII*], in paragraph 2 of which "all Member States pledge themselves to respect the borders existing on their achievement of national independence."

130. The application of that principle in this particular case should, in turn, be facilitated by the abundance of legal texts, conventions and treaties, signed either between the former colonial Powers or between independent Libya and France, which was at that time the administering Power of Chad. I would mention only the Treaty of Friendship and Good-Neighbourliness between the French Republic and the United Kingdom of Libya of 10 August 1955 [*ibid., annex X*].

131. My Government is a firm supporter of the principle of the settlement of disputes by dialogue and negotiation. We know that the two fraternal countries concerned in this debate, both of which are members of the OAU and the Movement of Non-Aligned Countries, are equally attached to that principle. They are also aware of the need to safeguard peace in our region by practising scrupulous respect for the sovereignty of neighbouring States, as well as for their territorial integrity. We therefore have every confidence that the Council will help them to re-establish relations of good-neighbourliness and fruitful mutual co-operation that will be to the advantage of both their peoples and of peace and unity in Africa.

The meeting rose at 1 p.m.

NOTES

[1] General Assembly resolution 2625 (XXV), annex.

[2] See A/32/310, annex II, decision AHG/Dec.108 (XIV).

Litho in United Nations, New York 00300 60205—October 1990—2,050

UNITED NATIONS

SECURITY COUNCIL
OFFICIAL RECORDS

THIRTY-EIGHTH YEAR

2429th MEETING: 31 MARCH 1983

NEW YORK

CONTENTS

	Page
Provisional agenda (S/Agenda/2429)	1
Adoption of the agenda	1
Letter dated 16 March 1983 from the Permanent Representative of Chad to the United Nations addressed to the President of the Security Council (S/15643)	1

NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

Documents of the Security Council (symbol S/ . . .) are normally published in quarterly *Supplements* of the *Official Records of the Security Council*. The date of the document indicates the supplement in which it appears or in which information about it is given.

The resolutions of the Security Council, numbered in accordance with a system adopted in 1964, are published in yearly volumes of *Resolutions and Decisions of the Security Council*. The new system, which has been applied retroactively to resolutions adopted before 1 January 1965, became fully operative on that date.

2429th MEETING

Held in New York on Thursday, 31 March 1983, at 3.30 p.m.

President: Sir JOHN THOMSON (United Kingdom of Great Britain and Northern Ireland).

Present: The representatives of the following States: China, France, Guyana, Jordan, Malta, Netherlands, Nicaragua, Pakistan, Poland, Togo, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zaire, Zimbabwe.

Provisional agenda (S/Agenda/2429)

1. Adoption of the agenda

2. Letter dated 16 March 1983 from the Permanent Representative of Chad to the United Nations addressed to the President of the Security Council (S/15643).

The meeting was called to order at 5.45 p.m.

Adoption of the agenda

The agenda was adopted.

Letter dated 16 March 1983 from the Permanent Representative of Chad to the United Nations addressed to the President of the Security Council (S/15643)

1. The PRESIDENT: In accordance with the decision taken at the previous meetings on this item [*2419th and 2428th meetings*], I invite the representatives of Chad and the Libyan Arab Jamahiriya to take places at the Council table; I invite the representatives of Benin, Democratic Yemen, Egypt, Ethiopia, Gabon, Guinea, the Islamic Republic of Iran, Ivory Coast, Niger, Senegal, Sudan, the Syrian Arab Republic and the United Republic of Cameroon to take the places reserved for them at the side of the Council chamber.

At the invitation of the President, Mr. Barma (Chad) and Mr. Treiki (Libyan Arab Jamahiriya) took places at the Council table; Mr. Soglo (Benin), Mr. Al-Alfi (Democratic Yemen), Mr. Khalil (Egypt), Mr. Ibrahim (Ethiopia), Mr. Boule (Gabon), Mr. Coumbassa (Guinea), Mr. Rajaie-Khorassani (Islamic Republic of Iran), Mr. Essy (Ivory Coast), Mr. Oumarou (Niger), Mr. Sarré (Senegal), Mr. Abdalla (Sudan), Mr. El-Fattal (Syrian Arab Republic) and Mrs. Mairie (United Republic of Cameroon) took the places reserved for them at the side of the Council chamber.

2. The PRESIDENT: I should like to inform members of the Council that I have received a letter from the representative of Ghana in which he requests to be invited to participate in the discussion of the item on the agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the provisional rules of procedure.

At the invitation of the President, Mr. Hayford (Ghana) took the place reserved for him at the side of the Council chamber.

3. Mr. NATORF (Poland): We have before us a matter that directly concerns two countries: the Socialist People's Libyan Arab Jamahiriya and Chad. Both countries are members of the Organization of African Unity (OAU) and of the Movement of Non-Aligned Countries.

4. The position of my delegation on this issue is based on the following considerations. First, the African continent has been suffering from many problems which could be defined, first of all, as vestiges of colonialism. We look with admiration upon the efforts of the nations of that continent aimed at overcoming the legacy of colonialism and underdevelopment. Those efforts require an atmosphere of co-operation and stability in relations among African States. Secondly, more than once we have witnessed external, neo-colonialist efforts to spoil that atmosphere by exploiting the social and political contradictions that plague this great continent, border disputes included. This has been reflected recently in malicious manoeuvres to disrupt the OAU and to foment an international anti-Libyan campaign. My country is resolutely opposed to all destabilizing neo-colonialist actions based on the ancient Roman principle of *divide et impera*. It is the feeling of my delegation that the situation prevailing between Libya and Chad was unnecessarily dramatized by many and the debate artificially extended in the Council as well. Thirdly, the issues that may arise in the African continent should be solved, first and preferably, through bilateral negotiations and within the OAU.

5. On the basis of these considerations, my delegation welcomed the statement made by the representative of Libya [*2419th meeting*] expressing the readiness of his Government to discuss the border dispute between the two countries both on a bilateral level and in the OAU. Such an approach is fully compatible with the principles

of the Charter of the United Nations. We are pleased to note that this country, with which we are bound by amicable relations, takes a constructive stand on this issue.

6. The efforts of the OAU, with the indispensable support of Libya and Chad, should be supported by the Council, as they would lead to the elimination of conflicts and tensions in the African continent.

7. The PRESIDENT: The next speaker is the representative of the Syrian Arab Republic. I invite him to take a place at the Council table and to make his statement.

8. Mr. EL-FATTAL (Syrian Arab Republic) (*interpretation from Arabic*): Nearly five weeks ago, the Council heard a considerable number of delegations voicing in turn words of right, voicing words intended to call the attention of the world to the plots being hatched against a young Arab State, a State which conveys the message of the masses struggling for freedom, progress and peace, a State which has pledged to persevere in its revolution against backwardness, dependence, exploitation and hegemony. Thanks to its vitality and on the basis of the harsh experiences it has had to undergo throughout its recent history, the Libyan Arab Jamahiriya has been able to prove to the world that a developing State can muster its abilities for reconstruction and advance along an independent path in accordance with the interests of its people and the interests of the Arab nation.

9. The Libyan Arab Jamahiriya has been and still is a target for the enemies of progress. Why did they choose the Jamahiriya? To us, the Arabs, the answer is obvious and simple: the Libyan Arab Jamahiriya has not hesitated to defend its pristine Arab character and its African identity, firmly adhering to its vanguard role, embodied in confrontation and steadfastness, and refusing to bargain at the expense of the Arab nation and the African nations. The Libyan Arab Jamahiriya continues to be a thorn in the side of the defeatists, profiteers, speculators and henchmen of imperialism. From the very moment when their aggressive intentions were unveiled before the Council, the imperialist circles have engaged in political incitement against Libya, to the extent of attempting to cast doubt on Libya's sovereignty over its own territory. With the failure, or the freezing, of the attempts to use force and aggression against Libya, that country, the victim of continuous aggression and foreign military and non-military intervention, has been portrayed as the aggressor and not the object of aggression.

10. They claim that the Jamahiriya commits acts of aggression. They also claim that the Libyan Arab Jamahiriya occupies territory and expands, and thus jeopardizes peace and security. But all of us here know that the United States imperialist onslaught against the Libyan Arab Jamahiriya is escalating on all fronts. Is it logical that the Libyan Arab Jamahiriya, which constantly champions the rights of oppressed peoples, should be the aggressor, while the echoes of its complaint of last month [*S/15615*] against the provocations of the United States and its allies still ring in our memories? Did the Council not hear at that time, in this very chamber, a virulent, menacing campaign directed against that country by the imperialistic Power? Is it not strange for the Council now to hear that the Libyan Arab Jamahiriya is responsible for the military and political tensions in Chad and that it poses a threat to peace? Has the Council forgotten that the Libyan Arab Jamahiriya made a generous contribution to the restoration of peace to Chad; indeed, it placed all its potentialities at the disposal of an African State, so keen were we Arabs that its territorial integrity and independence should be safeguarded. The Libyan Arab Jamahiriya is accused of posing a threat to peace and security in the entire area. Has it been forgotten that the United States naval and air forces constantly violate the territorial waters and airspace of Africa, especially the territorial waters and airspace of Libya? Claims against Libya are unjustified. The representative of the Libyan Arab Jamahiriya declared here:

> "I believe that the Council's competence is clear in accordance with Article 33, paragraph 1, of the Charter of the United Nations which stipulates the following:
>
> > 'The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security,
>
> —if such a dispute exists; but even Habré's representatives did not say that peace and security are being endangered at all: there is no dispute between Chad and Libya—[and here I underline this fact once more: there is no dispute between Chad and Libya]—
>
> > 'shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice'." [*2419th meeting, para. 73.*]

11. Yet Libya is accused of occupation and expansion and of jeopardizing international peace and security.

12. Libya's willingness to enter into consultations with Chad over the contentious issue indicates that the crisis is artificial. Indeed, this artificially created crisis aims at prejudicing both Libya and Chad alike.

13. We are indeed aware that the machiavellian principle underlying American strategy is "divide and rule"; we are also aware that that strategy is based on the threat or use of force. Suffice it to recall, as an example, that tension has resulted in our area from the role of the rapid development forces and the strategic alliances, foremost among which are those linking Washington and Cairo, Washington and Tel Aviv, Washington and Pretoria and others. Those, indeed, are the ones that pose threats to international peace and security in the region.

14. Is it not strange that the representative of Egypt, one of the parties to the Camp David accords, should accuse the Libyan Arab Jamahiriya of expansion and interference in Chad? We wonder why they make this

accusation. Will these accusations help that representative to recover his place within the Arab family? Is that conduct not proof that the Egyptian authorities persist in ignoring Arab rights in Palestinian and other occupied Arab territories? Can Egypt be acquitted just because it heaps accusations on a bastion of steadfastness and confrontation against imperialism and zionism? Have we forgotten that the Camp David accords ignored the rights of the Palestinian people and helped Israel to intensify its aggression and hegemony over our territory under the American umbrella? Can Egypt accuse Libya, whose sacrifices help strengthen the bastion of steadfastness and confrontation? Why does Egypt accuse Libya? What are the intensions and motives behind that?

15. Those who took part in putting the rights of the Palestinian people up for sale are trying today, through their alliance with imperialism, to conspire against the independence, territorial integrity and sovereignty of Libya. But the people of Egypt refuse to acquiesce in this, and sooner or later they will have to rejoin the ranks of Libya, Syria and other Arab countries in order to defend every inch of Arab territory.

16. We conclude then that the question of which we are seized will not resolve the problem, but rather will lead to the creation of rifts and aggression among fraternal peoples, which is what imperialism wants. We believe that the OAU, whose unity the United States is trying to destroy, whose prestige and credibility it is trying to undermine and whose role it is trying to end, is the competent body for consideration of the question of which we are seized today. We also consider that the attempts at representing the OAU as an incompetent forum that cannot consider such issues are but a manoeuvre that serves the interest of those who are most inimical to the Africans and the Arabs. The Council has to realize all these facts and have confidence in the wisdom of those who are able to resolve regional problems in accordance with the instruments binding the parties. What we are seeking is to resolve conflicts in the third world by peaceful means and not to fall into the snare of imperialist strategy, which is aimed at destroying the bonds linking us—common bonds—as well as destroying what we are aspiring for—good, fraternal relationships.

17. The PRESIDENT: The next speaker is the representative of Ethiopia. I invite him to take a place at the Council table and to make his statement.

18. Mr. IBRAHIM (Ethiopia): Sir, first of all I should like, on behalf of my delegation and on my own behalf, to congratulate you on your assumption of the presidency for the month of March. With your vast experience, ability and diplomatic skill, we are certain that you will guide the work of the Council to the satisfaction of all.

19. I should also like to pay a well-deserved tribute to your predecessor, Mr. Troyanovsky, the representative of the Union of Soviet Socialist Republics, for the brilliant manner in which he presided over the Council's proceedings during the month of February.

20. The item on the agenda today concerns Chad and Libya, two neighbouring African countries. It is indeed with great reluctance that we ask to be allowed to participate in the Council's discussion of this item. At the outset, we find it imperative to make it absolutely clear to the members of the Council, as well as to all others concerned, that by our participation we do not in any way desire to widen the scope of the dispute between the parties. Nor do we wish to side with one or the other of the two sisterly countries. We shall not, therefore, deal with the substance of Chad's complaint against Libya.

21. Chad has been confronted with calamities of one kind or another for far too long. Libya, an object of external manipulation itself, was in fact before the Council with its own complaint only a few weeks ago [*S/15615*]. In different ways, these two countries are examples of the diverse and complex problems that plague Africa. They are both struggling to overcome the debilitating effects of colonialism. They share a common history and pursue similar national goals. As neighbours, they are also bound by geography and destined for ever to live together, with no alternative but to harmonize their overall relations on the basis of good-neighbourliness and co-operation.

22. At the heart of the contention between Chad and Libya lies a boundary dispute. As we all know, boundary disputes are mainly a legacy of the colonial era and as such are widespread throughout Africa, Asia and Latin America. They are numerous and, unfortunately, have often caused wars. Our own national experience in the subregion called the Horn of Africa is an extreme case of expansionism and non-acceptance of the existing boundaries which resulted in wars of aggression and untold suffering.

23. On balance, however, we are gratified, indeed encouraged, to observe that most of the African, Asian and Latin American States have resolved or contained their boundary disputes through the evolution of rational and mutually acceptable approaches either bilaterally or through regional arrangements. This is a trend which must be upheld and strengthened. There have been few if any instances in which public debates such as the one held by the Council on this item on 22 March [*2419th meeting*], or even this one today, have contributed to the resolution of such disputes. We therefore urge the members of the Council and all others concerned not to prolong the present debate.

24. We understand the concerns of Chad and commend it for its faith in the United Nations, demonstrated by its request for a meeting of the Council; but we should also not lose sight of the complementary and important role played by the OAU, specifically in its efforts to resolve the very question now before the Council. The principles of the inviolability of State frontiers and respect for the territorial integrity of States are universally accepted international norms embodied in the Charter of the United Nations and explicitly reaffirmed in the regional instrument, the Charter of the Organization of African Unity. Moreover, they are basic tenets of the Movement

of Non-Aligned Countries. We emphasize these facts if only to show that there is no dispute over the principles involved.

25. The fact that the Assembly of Heads of State and Government of the OAU, meeting in its first session at Cairo in July 1964, solemnly declared, in resolution AHG/Res.16 (I) [*S/15649, annex XII*], that all member States pledge to respect the borders existing on the achievement of national independence is of the utmost importance in the search for a solution of the dispute between Chad and Libya. Neither the members of the Council nor the parties to the dispute can fail to recognize the full weight and importance of this African principle, which provides the key to solution of the present problem.

26. It is also a fact that the OAU has been and continues to be seized of this question. Actually, the question of Chad is regarded by many as a test case for the OAU. We believe that the OAU has not been afforded the opportunity to exhaust the possibilities open to it in its search for a resolution of the problem. The question of the national unity and territorial integrity of Chad is also on the agenda of the next session of the Assembly of Heads of State and Government of the OAU, which is scheduled to take place soon. In our view, both the Council and the parties concerned have a duty to protect and enhance the complementary role of that African organization in matters which are primarily African both in origin and in substance.

27. The Charter of the United Nations itself encourages this view. Article 33, paragraph 1, provides that:

> "The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice."

We therefore urge the parties to the issue at hand to exercise maximum restraint and to avail themselves of all peaceful means and in particular to give their regional organization, the OAU, a chance to exhaust its possibilities and finalize the efforts it has undertaken in this respect. Meanwhile, we wish to express the hope that the Council will exercise maximum caution in the discharge of the responsibility entrusted to it and that it will make use of the occasion to demonstrate its confidence in and respect for the OAU by acting on the basis of Article 33, paragraph 2, of the Charter of the United Nations, which enjoins the Council to call upon the parties to settle their disputes by such means.

28. Mr. CHAMORRO MORA (Nicaragua) (*interpretation from Spanish*): Mr. President, as a non-aligned country, Nicaragua deeply regrets that two non-aligned countries find themselves at opposite ends of the matter now before the Council.

29. We are concerned because this kind of dispute results only in the erosion of the unity of the Movement of Non-Aligned Countries and strengthens the aspiration of the imperialists to divide the third world. We are also concerned because the OAU today more than ever needs unity in its ranks, and we believe that all its members must spare no effort to strengthen that regional body, which, because of its universal nature, constitutes a model of what some of us would like to have in our own regions, particularly when continental Powers that do not have the same problems or share the same aspirations do not participate in their deliberations.

30. We have considered the complaint submitted by Chad. We have tried to keep up to date on the events, and we have calmly examined the nature and details of the matter in dispute. We believe that there are two fundamental aspects that deserve special attention. The first is the alleged occupation of the territory of Chad by the Libyan Arab Jamahiriya in the Aouzou Strip. In this connection, purely juridical arguments have been put forward by both sides, and we believe that basically this is a problem in which this body does not really have a substantive role to play. The second aspect concerns "the repeated acts of aggression" that Libya has allegedly perpetrated against Chad, according to the letter from the representative of Chad requesting the convening of the Council. In this connection, we have conducted some research on the basis of the means available to us, and if we are to be candid we must say that it has not been possible for my delegation to establish with certainty the existence of repeated acts of aggression or even threats of aggression.

31. There is no evidence that the present situation on the border between Chad and Libya now poses or might pose any danger of confrontation.

32. Africa, like our Latin America, does not need confrontations or disputes. Its peoples have suffered centuries of poverty, plunder and exploitation. Today, as in the past, it is necessary to struggle to overcome the barriers that keep us in ignorance, misery and underdevelopment.

33. We believe that renewing bilateral contacts, as well as reactivating and giving new impetus to existing machinery that has already been used in the past, could lead to the definitive solution of the differences that might exist and, in this manner, could avoid exacerbating the situation that might otherwise lead to a truly dangerous state of affairs.

34. The moment at which this agenda item has come before the Council is a particularly sensitive one. The Libyan Arab Jamahiriya has been the subject of a continuous, sustained and persistent campaign of aggression on the part of the United States within the framework of its violent and warlike imperialist strategy against free, revolutionary and progressive peoples. What the United States has done to the Libyans is to make them the targets of their attacks in the economic, political and

military fields. Moreover, cynically, it has disparaged the leaders of the Libyan revolution.

35. The Reagan Administration's order to the North American petroleum companies to cease operations in Libya, the aggression of August 1981 in the Gulf of Sidra against Libyan airplanes, the dispatch of the aircraft-carrier *Nimitz* to the Gulf area and the sending of AWACS aircraft to neighbouring countries to spy on Libyan territory, the allegation of acts of aggression against neighbouring countries and the perverse story of an alleged assassination attempt against President Reagan with the support of the Libyan leaders—all of these things are to be viewed within the framework of the strategy of imperialism.

36. In the view of my delegation, the present situation, despite the will of those responsible, could be part of that same pattern and be for the benefit of those same interests.

37. The constant acts of conspiracy by the United States Central Intelligence Agency (CIA) directed against vanguard forces should not be made more fruitful because of our differences.

38. We are pleased with the willingness of both sides to resolve their differences by peaceful means, and we know that those intentions are sincere. Nicaragua, which enjoys the friendship of the people and Government of Libya, far from feeling that Libya poses a threat to the peace and security of the area or that it may be a danger to the stability of the region, believes that it is Libya's own stability and security that are constantly being jeopardized by imperialist aggression, and we do not hesitate to express once again our full solidarity with it.

39. The PRESIDENT: The next speaker is the representative of the Islamic Republic of Iran. I invite him to take a place at the Council table and to make his statement.

40. Mr. RAJAIE-KHORASSANI (Islamic Republic of Iran): I take refuge in God from Satan the Outcast, in the name of God, the Compassionate, the Merciful.

> "And soon will the injust aggressors know what vicissitudes their affairs shall take."[1]

41. My delegation has been following the Council's debates very attentively. I have not yet found myself fully convinced of the absolute necessity for convening the Council.

42. From the procedural point of view, everthing is perfect. Some Member States have insisted that at least a debate on the problem of Chad, as defined in the agenda item under consideration, is necessary or may be helpful; hence the meeting of the Council. It is not really the procedural aspect which is of particular concern to my delegation. It is, rather, the actual substance of the matter which, if I am allowed to say so, with all respect sounds unrealistic or may be very artificial and superficial.

43. I wish I were wrong, but, on the other hand, if we find in our deliberations and common endeavour some elements of truth, in my delegation's view, we should all then be sorry to see that a meeting of the Council has been requested in order to serve a purpose slightly different from the objective which is openly expressed. Manipulation of the Council should not be tolerated under any circumstances.

44. The present situation in Chad is no different from what it was last month or two months ago. No one can deny the existence of rather perennial problems in the area. The Libyan contention as to the occupation of some Libyan territory by Chad is not something new. Political differences between the two countries have not been escalated so significantly as to make the call for a meeting of the Council particularly reasonable.

45. My brief experience in the United Nations tells me that a meeting of the Council is usually due to some very important and urgent events, not simply to perennial political problems or border differences, which cannot be settled in a meeting of the Council anyway. Otherwise, the Council would be meeting permanently about Palestine.

46. All of us know of much more serious political and military developments in parts of the world in the face of which the Council maintained its patience, tolerance and self-restraint. And to see all of a suddent the convening of the Council to debate some perennial, routine problems demonstrates that something more than the professed objectives has been intended. That is the theme of my delegation's statement this afternoon, and I hope that my contribution will be helpful and effective.

47. *The Washington Post* of the 18 February informs us that the United States intended to increase its aid to some countries which have happened to have rather cold relations with Libya, among them Egypt, for instance, and the Sudan.

48. *The Wall Street Journal* of 18 February informs us of an interview by the Minister for Foreign Affairs of the Sudan in which he proclaimed the readiness of his country to go to war against Libya.

49. Mr. Vernon Walters, a former senior official of the CIA, had been in the area on 18 February, according to *The Wall Street Journal*.

50. In an article in *The New York Times* of 28 February, entitled "Chad Senses Menacing Libya Shadow", we read the following:

> "The editorial noted that Mr. Habré, in a recent visit to Khartoum to confer with President Jaafar Nimeiri of the Sudan, had made it clear that Chad and the Sudan were prepared to fight Colonel Qaddafi."

51. We also remember very well the presence of the airborne warning and control system aeroplanes

(AWACS) and the Sixth fleet, which is a pretty powerful combination, and some "commodites" of the same nature and use in the area, in particular around Libyan waters.

52. But in spite of all that, we observe that a case has been brought here against Libya. Let us therefore pray that some good permanent members of the Council have not been using the entire international body in order to divert international attention from a threat or plot that probably is being skilfully cooked up against the Libyan Arab Jamahiriya.

53. If my prayers come true, there are still further good reasons for those who are behind the scenes of the entire orchestra. They want deliberately to undermine and destroy the position of Libya in the OAU. They desire also to see the OAU weakened and, in fact, broken down. Some are also trying to find excuses and justification in order to increase military aid, even selling more AWACS and more sophisticated aeroplanes, which some poor third-world countries would be ostentatiously happy to posses. Further shipments of arms to the area need additional excuses, and what would be better than a very important Council meeting for convincing some permanent members that the situation is awfully dangerous in that part of the world?

54. My delegation is aware of the blatant and open support of the French Government. In my delegation's view, the French Government's support is rather significant. We therefore invite the attention of the Council to an important historical fact, which is that in all agreements concerning Chad and its neighbouring countries, including the Cairo and Lagos accords, both of which were signed by the Libyan Arab Jamahiriya and President Habré, who was then Prime Minister, it was explicitly stressed that France must leave the area fully and completely. Moreover, under the present economic circumstances, France probably also needs to deliver some of those "peaceful" Exocet missiles to maintain "international peace and security" in the area. For these and other reasons, the entire political drama, in which even the Security Council of the United Nations has been manipulated, thanks to the presence of imperialism and its lackeys in the area, is taking place, and therefore the Council meeting must have been very necessary.

55. In my delegation's view, the Libyan Arab Jamahiriya is not a danger to Chad or to any other country in the area. The two countries can solve their differences peacefully. It is the master-mind of imperialism which is the greatest danger to all of us.

56. As for the position of my Government in regard to the substance of the matter, we fully support the position of the Libyan Arab Jamahiriya. The Jamahiriya is a revolutionary country; the Government of Libya is working hard and the Libyan people fully support their Government and régime. If others do not enjoy this privilege and do not feel immune from their dissident masses, then they should not blame Libya for that.

57. We also strongly support all liberation movements, in particular those in Africa. We believe that freedom and independence belong primarily to, and must be enjoyed by, the oppressed masses and only through them by their representative Governments, and not the reverse.

58. The Libyan Arab Jamahiriya has also been accused of intending to seek an Islamic Government for the people of Chad. As a Muslim representing the Islamic Republic of Iran, I cordially congratulate the Libyan Arab Jamahiriya for this praiseworthy intention.

59. The PRESIDENT: The next speaker is the representative of Ghana. I invite him to take a place at the Council table and to make his statement.

60. Mr. HAYFORD (Ghana): Since my delegation had the opportunity only two days ago to express its pleasure at seeing you presiding over the Council, Sir, I will simply join with the many other delegations which, at the end of your tenure as President, have congratulated you warmly on your brilliant stewardship.

61. Ghana speaks on this issue with a sense of regret that a matter involving two sister African countries—the Libyan Arab Jamahiriya, with which my country has very warm ties of friendship and co-operation, and Chad, a sister country member of the OAU and of the Movement of Non-Aligned Countries—should be an issue before the Council at this time.

62. Our regret stems from Ghana's long-standing conviction that African problems must of necessity have African solutions, because regional arrangements have the best chance of success in such matters. Moreover, there are African modalities for addressing disputes between sister African countries within the framework of the OAU.

63. The dispute between Chad and Libya concerning the Aouzou Strip is of long standing, and it is well known that the OAU is fully seized of the matter. Ghana would therefore support the many delegations which have proposed that the problem be left within the OAU for settlement. In this context, it would be appropriate for the Council to refer the issue, through the Secretary-General of the United Nations, back to the OAU for further attention.

64. As has been pointed out by numerous previous speakers, the dispute under consideration here will be a major subject at the forthcoming session of the Assembly of Heads of State and Government of the OAU, to be held at Addis Ababa in June. It would therefore be appropriate to allow these regional arrangements to continue efforts for achieving an equitable settlement of the dispute.

65. In conclusion, Ghana would like to reaffirm its commitment to and belief in the peaceful settlement of disputes between States and the fullest use of regional

organizations such as the OAU in the resolution of problems between neighbouring countries.

66. The PRESIDENT: The next speaker is the representative of the Libyan Arab Jamahiriya, on whom I now call.

67. Mr. TREIKI (Libyan Arab Jamahiriya) (*interpretation from Arabic*): Mr. President, on behalf of my country and on my own behalf, I wish to express our gratitude and appreciation to you for the excellent manner in which you have guided the Council's work during the past few days, as well as for your objectivity.

68. I believe that we have now uncovered the conspiracy that has been engineered against the Council, the same sort of conspiracy that had been engineered against my country. Those who have disregarded the Council and encouraged the aggressors to disregard United Nations resolutions are encouraging them also to persist in their occupation of Namibia, Palestine and Lebanon. I refer to those who wish to put an end to the role of the United Nations, particularly that of the Security Council. They have rejected a United Nations role in Lebanon, but have unilaterally sent their troops there in disregard of the international forces in Lebanon. They have mocked the Security Council and the United Nations. We see what is published in today's issue of *The New York Times* about the United Nations and the Council.

69. This conspiracy has turned into a farce, unveiled by the forces of good and the progressive forces within the Council.

70. During the past few days, pressures have been exerted, threats made, ambassadors summoned to Washington and pressures brought to bear against States. Unfortunately, this has taken place even in Paris. I say that most regrettably because we are linked by good bonds of co-operation with France.

71. But, as *The Christian Science Monitor* has stated, the United States has been able to win what are called francophone countries and keep them away from France. Probably—and I refer here to what we have already rejected—one should repeat that Africa is not an object to be divided among the imperialists. The time of imperialism and spheres of influence has ended.

72. Today I listened very carefully to what the representative of France said [*2428th meeting*]. We heard that France, a previous colonizer of Africa, still had a keen interest in Africa. An interest in Africa? Well, to be more exact, in uranium, manganese and economic colonialism. The representative of France said that France does have a responsibility and a role—a role that is embodied in interference in central Africa, "Operation Barracuda", an attempt at returning to Africa through the window after having been expelled through the door.

73. We Libyans are linked by bonds of friendship and co-operation with Italy, but we reject the notion that Italy should have a role or responsibility in our country. We do co-operate with Italy as a neighbouring country in the Mediterranean, but we cannot accept trusteeship from any party or circle.

74. I believe that the representative of France will allow me to state Chad's view of French colonialism there. I did not make it up. This is derived from Chadian documents. The Lagos Accord on National Reconciliation in Chad of 18 August 1979 [*S/14378, annex I*]—and I shall read from the French text, although I am not well versed in French because I was not subjected to French colonialism—states the following in paragraph 7:

> "The Chadian Parties unanimously recognized that the continued presence of French troops in Chad is an impediment to finding a peaceful reconciliation and solution to the Chadian problems. The Chadians therefore agreed that the Transitional National Union Government when formed shall effect the withdrawal of the French troops."*

[*The speaker continued in French.*]

75. And by whom was that accord signed? It was signed by, among others: Abdoulaye Adam Dana, of the First Volcan Army; Fatcho Balam, of the National Democratic Union; Mahamat Abba Said, of the First People's Army; Acyl Ahmed, of the Revolutionary Democratic Council; Moussa Medela, of the West Armed Forces; Aboubakar Abdel Rahane, of the Popular Movement of the Liberation of Chad; and Hissein Habré, of the Armed Forces of the North—yes, his signature is there.

76. So that is what the Chadians think of France.

[*The speaker resumed in Arabic.*]

77. I wish now to quote from a joint declaration issued on 27 May 1980 at Lagos. In its fourth paragraph, that declaration states:

> "We denounce the presence of French troops in Chad and call for their immediate withdrawal and their replacement by African troops. We denounce French military intervention in Chad with the aim of dividing that country."

78. Another document was signed by the following representatives of neighbouring countries of Chad: Sadou Daoudou, Minister of State for the Armed Forces of Cameroon; the Vice-Premier of what was then the Central African Empire; Ali Treiki of Libya; Moumouni Djermakoye of Niger; Yussuf Mukhtal, Sudanese Ambassador in Lagos; and Major-General Shaikhu Iro Ado, Vice-President of Nigeria. That declaration reveals what the neighbouring countries think of the situation in Chad:

> "After considering the complex situation in Chad, we note the continued intervention by foreign French troops in Chad, which could internationalize and

* Quoted in French by the speaker.

render complex an internal problem which is amenable to solution."

79. That is what France gave Chad. It also gave Chad a civil war in which the French army interfered for about seven years against FROLINAT [*National Liberation Front of Chad*] in northern Chad. Then France was forced to withdraw. When Nigeria sent troops to N'Djamena, France turned over N'Djamena airport to Hissein Habré, who besieged the Nigerian troops, which Nigeria was then forced to withdraw.

80. It is against that background that we must assess the objectivity of what was stated by the representative of the French Republic, a country which, I wish to underscore, is linked with my country by ties of close co-operation.

81. He spoke of agreements based on "historical responsibility": Africa, of course, is incompetent; it has not come of age, so France has to be the trustee for African and other colonial countries. In short, he lectured us. He referred to conventions that were signed, but by whom? By France and some other colonialist countries intent upon dividing up Africa. I would mention the agreement of 1885, which sought to divide the African continent and to parcel out African territory. Is there another continent with such a mosaic-like character resulting from that sort of divisions? They even divided up certain peoples. France served Algeria pretty well, to be sure: it killed over a million Algerians, which speaks very well indeed of France. We think that our friend France should forget about the past and start with a clean slate of co-operation, not imperialism. We had hoped that at least the Socialist Party of France would take such a position, different from that of past governments.

82. Libya was a part of the Ottoman Empire. At that time, there was no Chad, no Niger; there were French colonies. France wanted to engulf the larger part of the weak Ottoman Empire, including Libya; it did not want to create such countries as Chad or Niger or any other African countries. Those countries, in the final analysis, are Libya's sister countries. France wanted to exploit that weak old empire, and Italy, too, had aspirations to colonize Libya. It was not in Libya's interest that Italy interfered with France; it was rather to halt French expansion so that it could have its share in the region, and that is just what happened. Then came the competition between the Italian and the French colonizers for the spoils. France wanted a portion of Libya to be annexed to French Equatorial Africa rather than Chad. Mussolini wanted to preserve *nostra terra*, the Italian expression including Libya as part and parcel of Italy.

83. I challenge the representative of France to state before the Council that after the Second World War, when French troops arrived in southern Libya, Aouzou was part of Chad. The Council may summon the representative of Italy, who is present here.

84. France colonized southern Libya after the war and the United Kingdom colonized the northern part. France refused to withdraw from Libya until the conclusion of an agreement permitting it to take parts of Libya and annex them to what it used to call its French African territories.

85. The Laval-Mussolini treaty (Treaty of Rome) [*S/15649, annex VII*], in fact, was agreed to by the French Parliament, but, according to France, it became null because instruments of ratification were not exchanged, but the agreement between Ben Halim and France, to which the Libyan Parliament refused to agree—that agreement, they claim, is in force. Such is the logic that is being used.

86. Throughout the Ottoman period, and the Karamanli period before it, and throughout the Italian period, France—and I mention France because of French Equatorial Africa—had no sovereignty whatsoever over the Aouzou Strip.

87. I have plenty to say concerning the legal aspect and we have many documents to substantiate that. We can submit them, and we shall do so in order that they can be distributed as official documents of the Council. But we do not think that one of the tasks of the Council is to consider legal issues, or controversies over legal interpretations, or over agreements. Libya inherited its territory from Italian colonialism—it respects the territorial integrity of other countries—and it signed the Cairo convention. But I say that we paid an extremely high price for winning our freedom. We are not at all ready to give up that freedom or even one inch of our territory. Libya sacrificed more than 1 million martyrs—that is more than half the population of Libya—between 1911 and 1932. During that period, we were fighting Fascist Italian imperialism. If some are ready to sell their sovereignty to the previous colonizer and give him bases, as well as the economy of the country and other facilities, Libya will not belong to those. Furthermore, as the leader of our revolution mentioned in Benghazi in 1973, at a liberation movement conference, Libya considers its independence incomplete unless the rest of the African continent is liberated. Liberation here is not political liberation, because independence is not a flag; it is not a particular president, but independence in the full sense of the word.

88. A few days ago, while you, Sir, were presiding over the proceedings of the Council, scores of States made statements *vis-à-vis* the American imperialist intervention against Nicaragua. The whole world denounced that intervention. The whole world also denounced the American imperialist intervention against Libya. This is the role of the Security Council. The Council, I wish to stress, cannot be turned into a stage to be used by the big imperialist Powers at their whim. They reject its resolutions concerning Palestine, southern Lebanon and Namibia. They want to manipulate the Council as a tool to cause dissent among third-world countries and their neighbours.

89. We have lived with Chad for thousands of years and shall continue to do so. As the proverb says, you can divorce your wife, but you can never divorce your neighbour. We are closer to each other than we are to France, I believe; we are brothers, unless France is an African State. We in Africa will not be deceived by what has been stated by French imperialism: that Africa is divided into white Africa and black Africa. There are no blacks or whites in Africa: we are all Africans defending our cause. We are all brothers. We shall not allow the seeds of dissension to be sown among our ranks.

90. Certain people have been impelled under pressure to say certain things that I am not going to comment on, but before concluding I wish to repeat to the Council what President Omar Bongo of Gabon said at the most recent session of the Assembly of Heads of State and Government of the OAU, held at Nairobi:

> "Africa must thank Libya for what it has done in Chad. We have all failed to provide assistance to Chad, but Libya is the only African country that was able to do so. I call on you to thank Libya and for the continuation of the Libyan forces to help the people of Chad."

91. Former OAU Chairman Siaka Stevens had this to say:

> "We are proud of what Libya has done and of the help it has provided to a neighbouring country—Chad."

92. Libya does not usurp the resources of Africa, neither manganese, nor uranium, not even phosphate. Libya provides support. One hundred companies that have Libyan capital work in Africa to help Africa for its benefit. That is our duty. Those who fish in troubled waters cannot succeed. We have to counter their designs.

93. In conclusion, I wish to express the gratitude of my country for the forces of good within and outside the Council that have realized the gravity of the conspiracy and of this scenario meant to divert Africa's attention. They are trying to divide the continent; they are trying to prevent the continent from meeting as one. They spoke as if they had succeeded in that attempt, but Africa, in the final analysis, will emerge victorious. The South African régime will come to an end. The economic colonization of Africa will come to an end. Uranium cannot continue to be turned into electricity to light the Elysée Palace and the Champs Elysées, while Africa is deprived of light, because Africa needs light and electricity.

94. I wish now to confirm that the Libyan Arab Jamahiriya is always ready to co-operate fully with any African sister country to solve whatever dispute there may be between us, or between any two African countries. We shall never give up, even if we have to sacrifice the last Libyan in defence of our territory and our honour, whatever the result may be and whatever the reasons may be. We shall continue to support fraternal Chad within the framework of its legitimate Government, as recognized by the OAU; we shall work towards achievement of unity and peace in Chad, and we shall maintain the best relations possible with the fraternal people of Chad, with whom Libya has many agreements of co-operation and for whom Libya sacrificed the blood of its sons in order to put an end to the civil war in Chad.

95. Thank you for your patience. I believe that you all, through an awareness of your responsibilities, have deprived the colonizers—both new and old—of an opportunity to use the Council as an instrument for their purposes and designs.

96. In the next few days the Council will be asked to take up the question of Israel's occupation of Arab territories, the killing of Arab women, the poisoning of Arab schoolgirls and the killing of children—a 17-year-old martyr was killed today. That is the responsibility of the Council. Colonialism, both old and new, wants to lead the Council into new mazes for the benefit of colonialism.

97. The PRESIDENT: I call on the representative of France, who has asked to speak in exercise of his right of reply.

98. Mr. LOUET (France) (*interpretation from French*): I shall try to be brief. First of all I should like to refer to a rather extraordinary sentence in the statement just made by Mr. Treiki. He told us—in fact he devoted about a third of his statement to presenting "Chad's view" [*para. 74*]. And that is what he shamelessly strove to do for 10 minutes.

99. Chad is seated at this table. It has just made a complaint against Libya, and Libya, without embarrassment, without shame, explains to us the supposedly true views of Chad, and, having done that, talks of colonialism's intervention in internal affairs. Well, Sir, you can be the judge of this, and I don't think I have much to add on this point.

100. The representative of the Libyan Arab Jamahiriya referred to my statement of this morning [*2428th meeting*], in which I am supposed to have talked about conventions and historical responsibility. I do not think I said anything of the kind, and I very much regret that. I did not, and I should have, and I should like to thank him for having reminded me of my duty.

101. I was a little brief this morning in presenting the French view. With the Council's permission, I should like to expand a little on what I said this morning.

102. The basic principles upon which the solutions we desire should be based are those enunciated by the OAU on the inviolability of the frontiers that existed at the time of independence, respect for the territorial integrity of States and non-intervention in the internal affairs of another State.

103. In this case, there is a frontier dispute between Chad and Libya with regard to the Aouzou Strip. As far

as France is concerned, the situation with regard to the existing frontier between the two States at the time of the independence of Chad is very clear. The frontier between the two countries was indeed defined by a series of juridical acts. These were, successively, the Franco-British Declaration of 21 March 1899 and the Franco-British Convention of 8 September 1919, interpreting that declaration [*S/15649, annexes II and V*], and the exchange of letters between the French and Italian Governments of 17 December [*ibid., annex VIII*] and 25 December 1938. The Treaty of Friendship and Good-Neighbourliness between the French Republic and the United Kingdom of Libya of 10 August 1955 [*ibid., annex X*] refers to the frontier line governed by the Franco-British Convention of 8 September 1919. That frontier is precisely that which France bequeathed to Chad in 1960, at the time of its independence.

104. What I have just recalled is what the representative of France said on 17 February 1978, during informal consultations of the Council. I have done so to demonstrate to the Council, and to help Mr. Treiki understand, that France's position has not changed and that, whatever the circumstances, it remains absolutely unchanged. There is no reason for it to change and it has not changed.

105. Finally, I should like to make a third point. The representative of the Libyan Arab Jamahiriya has reminded us that it is not the role of the Council to deal with the juridical aspects of a problem. That did not prevent him from expatiating on the juridical arguments that support his case, and I have no complaint about that because I have just done exactly the same thing myself. But there is a juridical conflict between two countries. It seems to be a very clear-cut dispute; we have two letters, one from Chad and the other from Libya, which are very clear in this respect. Chad tells us that Libya has been "in military occupation of that part of Chad territory commonly known as the 'Aouzou Strip'," [*see S/15643*], and Libya states that the "Aouzou Sector is an integral part of Libyan territory" [*see S/15645*]. In circumstances such as these, it would appear that if Libya were really concerned to settle the clear-cut dispute existing between it and Chad it should, as it has done in other cases, take the matter to the International Court of Justice.

106. That was the purport of the appeal we addressed to the two delegations this morning, and which I now repeat.

107. The PRESIDENT: I call on the representative of Chad, who has asked to speak in exercise of his right of reply.

108. Mr. BARMA (Chad) (*interpretation from French*): I really do not wish to exercise the right of reply regarding any particular statement made this morning or this afternoon in the Council, except to point out for the benefit of the representative of Benin that we have no lesson to learn from anyone in Africa—anyone, least of all the representative of Benin—with regard to legitimacy, for we all know how the present Benin régime came to power. I should simply like to refer the representative of Benin to the extremely relevant developments mentioned with regard to the notion of legitimacy by my dear brother and colleague the representative of the Revolutionary People's Republic of Guinea.

109. We are well aware that Benin is unfortunately contributing to the destabilizing efforts undertaken by Libya against Chad, but we refuse to consider that aspect of the problem, which is very far from the real subject.

110. We agree with those who believe that the problem raised by Chad is of a juridical nature. Thus, we wonder why the Council should not shoulder its responsibilities and refer the parties to the International Court of Justice in accordance with the relevant provisions of the Charter of the United Nations. Why is Libya frightened of going to the Court if it is so sure of its right, as indicated by the statement of its representative? He himself recognizes the Laval-Mussolini treaty [*S/15649, annex VII*] is void and he has other documents to be circulated as documents of the Council. After all, Chad has published its own documents for a week now.

111. I think that the members of the Council are not being taken in by this untruth. By its statement Libya showed that it is determined to perpetuate its military occupation of part of Chad's territory against all international rules.

112. I will let the Council be the judge, and I should like officially to draw the attention of the international community to the conduct of one of the States Members of the United Nations that is supposed to respect the purposes and principles of the Charter.

113. In these circumstances, there are two comments that must be made at the conclusion of this debate. First, everyone has unreservedly recognized that there does exist a frontier dispute between Chad and Libya, a dispute whose prolongation is liable to jeopardize peace in the region and, hence, international peace and security at large, whether or not the representative of Syria, who asserted that there was no dispute, likes it—and what proof he was basing himself on I do not know.

114. The statement of the representative of France, the former colonial Power, this morning [*2428th meeting*] is clear as to the ownership of what is known as the Aouzou Strip. It belongs to the Republic of Chad.

115. Secondly, all those who have spoken have appealed to the parties to the controversy to settle it by appropriate peaceful means, both bilaterally and regionally. This final comment should enable the Council more easily to understand the situation by tracing all the futile efforts that have been employed heretofore, both bilaterally and regionally, to find a peaceful solution to this distressing situation.

116. The Council will recall that in the course of his statement on 22 March, Mr. Idriss Miskine, Minister for

Foreign Affairs and Co-operation of Chad, stated the following:

> "That is why, inspired by our desire to resolve the problem through peaceful channels, Chad is today addressing the Council in order to obtain its assistance in recovering its territorial integrity so that it may live in peace within the borders it inherited from colonization. It is requesting that Libya withdraw completely from the territory of Chad." [*2419th meeting, para. 35.*]

117. It was this determination to settle by peaceful means the problem of the military occupation of Tibesti by Libya that prompted Chad to seek a solution by both bilateral and regional means.

118. Bilaterally, what happened? In August 1974, Mr. Bruno Bohiadi, then Minister for Foreign Affairs of Chad, and Mr. Mahamat Yakouma, Secretary of State of the Presidency for Internal Affairs, met at Tripoli. During their stay in the Libyan capital, they met the Libyan Minister of Information and Acting Minister for Foreign Affairs, the Minister for Economic Affairs and the Prime Minister. In the course of their talks, the delegations of Chad and Libya referred to the problem of Libya's occupation of Tibesti.

119. The Libyan side stated that it was not the Libyan army but rather the Libyan police that was in Aouzou to ensure the security of the peoples of both countries.

120. The Chadian side asserted that there was no question that a military detachment was in Aouzou and that under no circumstances could Libya unilaterally carry out operations for the maintenance of order in that part of Chadian territory.

121. In the course of these talks, the Chadian delegation pointed out that the Libyan side showed a clear determination to minimize the problem of the occupation of Tibesti in favour of questions relating to economic co-operation between the two countries.

122. From 29 July to 5 August 1976, Colonel Mamari Djime Ngakinar, at that time Vice-President of the Higher Military Council and Minister of State for Internal Affairs, went to Tripoli at the head of a large delegation to discuss officially the problem of the occupation of Tibesti by Libya.

123. In the course of those discussions, the Libyan side stated that there was no frontier problem between the two neighbouring countries but that, if Chad considered that a problem did exist, it was prepared to discuss the matter. Libya produced two maps, including one in an Oxford atlas of 1956, dating from the time of the monarchy, which included the "Aouzou Strip" in Libyan territory. The Chad delegation objected to Libya's questioning of the border between the two countries and stated that Libya's claim was based only on the stillborn Laval-Mussolini treaty.

124. The Chad side proved that the exchange of instruments of ratification had not taken place and that, therefore, that treaty was legally non-existent. Libya maintained its position and went so far as to accuse Chad of harbouring annexationist claims on its territory.

125. The Libyan side declared that that was "an insult to the Libyan revolution" and accused Chad of ascribing imperialist designs to it. It stated that it would not tolerate such an insult and demanded a public retraction by Chad.

126. No compromise took place and it was agreed that a joint technical commission should be established to study the problem and propose solutions. As we shall see later, that commission met at N'Djamena. The two delegations went their separate ways without issuing a transcript or a communiqué. The Libyan delegation blocked the discussions because it did not want some of its statements to be recorded in a transcript that might bring out some of its contradictions.

127. The Joint Technical Commission established on the occasion of the mission of the Vice-President of the Higher Military Council to Tripoli met as scheduled from 23 to 27 June 1977 at N'Djamena. The Libyan delegation was headed by Mr. Ahmad Elatrach, Deputy Secretary of State for Foreign Affairs in the Secretariat of State for Foreign Affairs and Co-operation. There was only one item on the agenda of the Joint Technical Commission: "Search for ways and means of improving co-operation between Chad and Libya". In fact, the essential issue was the problem of the occupation of Tibesti by Libya.

128. The Libyan side immediately stated at the meetings that there was no frontier problem between Chad and Libya and that, even if there was, it would not prevent the implementation of co-operation agreements. It asserted that Libya's present borders were in conformity with international agreements, in particular the Laval-Mussolini treaty of 1935.

129. The Chad side argued that, although the Laval-Mussolini treaty had been signed by France and Italy, there had never been any exchange of instruments of ratification, so that the agreement hd never existed legally. The legal non-existence of the 1935 treaty was particularly obvious from the fact that when, in 1955, France and the United Kingdom of Libya signed the Treaty of Friendship and Good-Neighbou[illegible]ss [*S/15649, annex X*], they had not deemed it necessary to mention the Laval-Mussolini treaty in the list of international agreements relating to the frontiers between the territories of Tunisia, Algeria, French West Africa and French Equatorial Africa, of which Chad was an organic part before its accession to independence.

130. Paradoxically, the Libyan side stated that, between 1951 and 1969, Libya had not really been free and that, accordingly, all decisions had been imposed on it by colonialism.

131. Are we to understand by this that all international commitments contracted by Libya have been repudiated *en bloc*? In that case, the very fact that Libya belongs to the United Nations and to the OAU should be reconsidered.

132. In the face of the impasse reached in the negotiations at N'Djamena, Chad proposed a draft general agreement to govern all relations between the two countries. This was flatly rejected by Libya on the ground that that text had very wide political implications and that it preferred to refer it to the Tripoli authorities for instructions. Since those instructions never arrived, the two delegations parted, as on previous occasions, without drawing up minutes or issuing a communiqué.

133. As we pointed out before, the Libyan delegation has always refused to discuss frankly the substance of the problem, that is to say, the occupation of Tibesti, and in the course of the different meetings it always sought to minimize the problem of the frontier and has always clung to the idea of so-called co-operation with Chad. The positions of the two parties were therefore irreconcilable. That was what was done bilaterally.

134. Now let us take a look at what was done at the OAU level, since certain delegations have stated, either this morning or this afternoon, that the channels for negotiation, conciliation and mediation offered within the framework of the OAU have not been exhausted. What are the facts?

135. After the failure of the N'Djamena meeting, Chad decided to bring the matter before the fourteenth session of the Assembly of Heads of State and Government of the OAU, held at Libreville in July 1977. On the initiative of Mr. Omar Bongo, President of the Gabonese Republic and at that time Chairman of the OAU, and *ad hoc* Committee of six members—Algeria, Gabon, Mozambique, Nigeria, Senegal and the United Republic of Cameroon—was established[2] to seek ways and means of solving this problem. The Committee, meeting at Libreville from 10 to 12 August 1977, without Libya, decided to adopt a recommendation, the gist of which is as follows.

136. The recommendation recalls, in its preamble, the relevant resolutions adopted by the OAU to facilitate the settlement of disputes between member States, in particular resolution AHG/Res.16 (I), adopted at the first session of the Assembly of Heads of State and Government of the OAU, held at Cairo in July 1964 [*ibid., annex XII*], which solemnly declares, *inter alia*, that "all member States pledge themselves to respect the borders existing on their achievement of national independence", and resolution AHG/Res.27 (II), adopted at the second session of the Assembly of Heads of State and Government of the OAU, held at Accra in October 1965, in which the States members of the OAU solemnly undertake to act in conformity with article III of the Charter of the Organization of African Unity.[3] That article provides, *inter alia*, for the sovereign equality of all member States; non-interference in the internal affairs of States; respect for the sovereignty and territorial integrity of each State and for its inalienable right to independent existence; and the peaceful settlement of disputes by negotiation, mediation, conciliation or arbitration.

137. Paragraph 1 of the recommendation is of primary importance in that it reaffirms resolution AHG/Res.16 (I), adopted at Cairo on 21 July 1964, on the inviolability of the frontiers inherited from the colonial Powers and the fundamental principles of non-violation of sovereignty and respect for the territorial integrity of member States.

138. Paragraph 2 deals with the establishment of a sub-committee composed of jurists and cartographers to study the problem of the frontier between Chad and Libya in all its aspects. The Sub-Committee was to visit the capitals of the parties to the dispute and also to proceed to the region under dispute in order to evaluate the situation on the spot.

139. In paragraph 4 of the recommendation, the Committee appeals to Chad and Libya to refrain from taking any action liable to impede the achievement of a peaceful solution. In violation of that paragraph, the Libyan Arab Jamahiriya refused, in mid-January 1978, to participate in the meeting of the expert Sub-Committee. The Sub-Committee was unable to carry out its work normally because the Libyan Arab Jamahiriya did not provide the OAU with any documentation in support of its claims to Tibesti, which it occupies by force of arms in flagrant violation of the Charter of the Organization of African Unity and the relevant OAU resolutions.

140. Similarly, as everyone knows, the Security Council had this matter before it in February 1978 [*S/12553*], and we know what happened to this complaint of Chad at that time.

141. We have tried to provide all this information to the Council so that we shall not be told later that Chad refused to negotiate under the auspices of the OAU or in any other way whatsoever. We have embarked on direct negotiations with Libya with no result. We submitted the problem to the fourteenth session of the Assembly of Heads of State and Government of the OAU, held at Libreville in July 1977, and there was no result. We brought the matter before the Security Council in 1978 without any result.

142. That is why, in the face of the persistent tension between Chad and Libya born of the military occupation of Tibesti by Libya, tension which poses a grave threat to peace and security in Africa and in the world at large, Chad thought it necessary to address the Council, the organ responsible under the Charter of the United Nations for the maintenance of international peace and security, so that it can take the necessary measures to lessen tension in the region and recommend an appropriate solution to this dispute, the existence of which is today clearly established.

143. The PRESIDENT: I call on the representative of the Libyan Arab Jamahiriya to speak in exercise of his right of reply.

144. Mr. TREIKI (Libyan Arab Jamahiriya) (*interpretation from Arabic*): In view of the lateness of the hour, I will be brief. In the course of my statement, I asked the representative of France in the Council to answer my question: When the French troops arrived in southern Libya, was the Aouzou Strip part of Libya or part of French Africa, as it was called at that time?

145. I had a second question that I wished to put to the delegation of France, a permanent member of the Security Council and one of the founding Members of the United Nations. I agree that the frontiers inherited from the time of colonialism at the time of the achievement of independence should be respected. When Libya acceded to independence, happily in accordance with a United Nations resolution, and France being a Member was the Aouzou Strip part of Libya or not? I have here a United Nations map annexed to Libya's independence documents. But the representative of France was evasive concerning an answer to these two questions.

146. Chad has boundaries inherited from the time of colonialism and they should be respected. But Libya's boundaries, which also were inherited from the time of imperialism, should not be respected.

147. What would the representative of France say if one day we told him that Strasbourg was not part of French territory and that he would have to go before the International Court of Justice to prove that Strasbourg was a part of France? The French representative wants us to go before the Court to prove that today Aouzou, tomorrow Seubha, then Tripoli, and after that Benghazi are Libyan territories and that the Court, according to him, should issue an advisory opinion to that effect.

148. The representative of France said that I spoke on behalf of Chad; that is untrue. He sought to prove that France, by virtue of its responsibility, was acting with prudence. So I told him what the Chadians think of France, according to documents, conventions and agreements signed by Chadians, including Hissein Habré. This is Hissein Habré's signature on the document that I have in my hands.

149. As regards what the representative of the First Army said, I do not intend to answer him. I wish only to say the following. Most of what he said concerning what took place at the meetings is untrue, despite the fact that the dates are correct. We met with Chad to consider its claim that there was a problem with Libya. We are ready to meet again with a legitimate Government of Chad, but we will not meet with the representative of the First Army at all.

150. I wish to confirm the following. First, Aouzou is part and parcel of Libyan territory, in accordance with the United Nations resolution on the independence of Libya. We will never give up one inch of that territory, but we are fully prepared to develop the best relations with the fraternal people of Chad. Secondly, I emphasize—contrary to what the representative of Habré has said, and I am sorry to say it because that delegation does not represent any legitimacy at all in accordance with the relevant resolution of the OAU—that I did not say the Laval-Mussolini treaty was null but that it existed and will continue to exist. That was the clarification I wished to make before the Council.

151. The PRESIDENT: The representative of France has asked to be allowed to speak in exercise of the right of reply. I call on him.

152. Mr. LOUET (France) (*interpretation from French*): I do not wish to leave unanswered the two questions addressed to me by the representative of the Libyan Arab Jamahiriya.

153. I thought I had answered in my earlier statement by referring to the legal documents and conventions which, since the very origin of the frontiers, delimited the frontiers between Libya and Chad: the Franco-British Declaration of 21 March 1899; the Franco-British Convention of 8 September 1919; the Franco-Italian exchange of letters of 17 and 25 December 1938; and, finally, the Franco-Libyan Treaty of 10 August 1955 [*S/15649, annexes II, V, VIII and X*].

154. The reply to the question put to me is in the affirmative. Yes, the Aouzou Strip, at the time mentioned by my Libyan colleague, was a part of Chad. That is the French position. The Aouzou Strip has never been anything but a part of Chad.

155. I should like to add one last clarification: all the documents in my Government's possession in connection with the delimitation of this frontier were communicated not only to the Government of Chad but also to the Government of Libya, which is therefore fully aware of them.

156. The PRESIDENT: The representative of Benin has asked to be allowed to speak in exercise of the right of reply. I invite him to take a place at the Council table and to make his statement.

157. Mr. SOGLO (Benin) (*interpretation from French*): The representative of Chad, my friend Mr. Barma, just referred to my country and said that it contributes to the destabilization carried out in Africa by Libya. He did not see fit to support that with facts. A wise man, it is said, says nothing that he cannot prove. My delegation categorically rejects this gratuitous accusation which is devoid of any foundation.

158. As will be recalled, after the Lagos accords, Benin was ready to send its sons to fight so that peace, harmony and reconciliation would be restored among the sons of the Chadian peoples and Benin's action throughout the long history of Chad never departed from the lines set out and decided on by the OAU as soon as the question came before it.

159. If that contributes to destabilizing Africa, if trying to achieve harmony for the people of Chad is contributing to the destabilization of Africa, then we are proud of that contribution.

The meeting rose at 7.55 p.m.

NOTE

[1] *The Holy Koran*, XXVI: 227.
[2] A/32/310, annex II, decision AHG/Dec.108 (XIV).
[3] United Nations, *Treaty Series*, vol. 479, No. 6947.

Litho in United Nations, New York 00300 60205—December 1990—2,050

UNITED NATIONS

SECURITY COUNCIL
OFFICIAL RECORDS

THIRTY-EIGHTH YEAR

2430th MEETING: 6 APRIL 1983

NEW YORK

CONTENTS

	Page
Provisional agenda (S/Agenda/2430)	1
Expression of thanks to the retiring President	1
Adoption of the agenda	1
Letter dated 16 March 1983 from the Permanent Representative of Chad to the United Nations addressed to the President of the Security Council (S/15643)	1

NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

Documents of the Security Council (symbol S/...) are normally published in quarterly *Supplements* of the *Official Records of the Security Council.* The date of the document indicates the supplement in which it appears or in which information about it is given.

The resolutions of the Security Council, numbered in accordance with a system adopted in 1964, are published in yearly volumes of *Resolutions and Decisions of the Security Council.* The new system, which has been applied retroactively to resolutions adopted before 1 January 1965, became fully operative on that date.

2430th MEETING

Held in New York on Wednesday, 6 April 1983, at 11 a.m.

President: Mrs. Jeane J. KIRKPATRICK (United States of America).

Present: The representatives of the following States: China, France, Guyana, Jordan, Malta, Netherlands, Nicaragua, Pakistan, Poland, Togo, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zaire, Zimbabwe.

Provisional agenda (S/Agenda/2430)

1. Adoption of the agenda

2. Letter dated 16 March 1983 from the Permanent Representative of Chad to the United Nations addressed to the President of the Security Council (S/15643).

The meeting was called to order at 1.40 p.m.

Expression of thanks to the retiring President

1. The PRESIDENT: At this, the first meeting of the Security Council for the month of April, I should like, on behalf of the Council, to pay a tribute to the President for the month of March, Sir John Thomson, Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations, for the great skill and elegance with which he conducted the business of the Council during that month.

Adoption of the agenda

The agenda was adopted.

Letter dated 16 March 1983 from the Permanent Representative of Chad to the United Nations addressed to the President of the Security Council (S/15643)

2. The PRESIDENT: In accordance with the decisions taken at previous meetings on this item [*2419th 2428th and 2429th meetings*], I invite the representatives of Chad and the Libyan Arab Jamahiriya to take places at the Council table; I invite the representatives of Benin, Democratic Yemen, Egypt, Ethiopia, Gabon, Ghana, Guinea, the Islamic Republic of Iran, Ivory Coast, Niger, Senegal, Sudan, the Syrian Arab Republic and the United Republic of Cameroon to take the places reserved for them at the side of the Council chamber.

At the invitation of the President, Mr. Barma (Chad) and Mr. Treiki (Libyan Arab Jamahiriya) took places at the Council table; Mr. Soglo (Benin), Mr. Al-Alfi (Democratic Yemen), Mr. Khalil (Egypt), Mr. Ibrahim (Ethiopia), Mr. Boule (Gabon), Mr. Hayford (Ghana), Mr. Coumbassa (Guinea), Mr. Rajaie-Khorassani (Islamic Republic of Iran), Mr. Essy (Ivory Coast), Mr. Oumarou (Niger), Mr. Sarré (Senegal), Mr. Abdalla (Sudan), Mr. El-Fattal (Syrian Arab Republic) and Mrs. Mairie (United Republic of Cameroon) took the places reserved for them at the side of the Council chamber.

3. The PRESIDENT: Members of the Council have before them document S/15672, which contains the text of a draft resolution submitted by Chad.

4. In informal consultations, members of the Council have already heard the statement by the representative of Jordan. I shall now, following discussions in informal consultations and the consensus arrived at therein, make the following statement on behalf of members of the Council:

"Following consultations with the members of the Council, I have been authorized to make the following statement on their behalf:

'The Security Council has heard and taken note of the statements made by the Foreign Minister of Chad, and by the representative of the Libyan Arab Jamahiriya, in the debate on the letter dated 16 March 1983 from the representative of Chad.

'The members of the Council express their concern that the differences between Chad and the Libyan Arab Jamahiriya should not deteriorate and therefore call on the parties to settle these differences without undue delay and by peaceful means, on the basis of the relevant principles of the Charter of the United Nations, and the Charter of the Organization of African Unity, which demand respect for political independence, sovereignty and territorial integrity.

'In this connection, the members of the Council have taken note with appreciation of the willingness expressed by both parties to discuss their differences and to resolve them peacefully and urge both sides to refrain from any actions which could aggravate the current situation.

'The members of the Council also note that the Organization of African Unity, the regional

organization, is already seized of this matter. They appeal to both parties to make the fullest use of the mechanism available within the regional organization for the peaceful settlement of disputes, including the Good Offices Committee established by the Organization of African Unity and of those provided in Article 33 of the Charter of the United Nations.'"

5. The Council has thus completed this stage of its consideration of the agenda item. The President will follow the development of the situation and will be in touch with interested parties in the following days.

6. Mr. OVINNIKOV (Union of Soviet Socialist Republics) (*interpretation from Russian*): Madam President, the text of the declaration which you have just read out and which is available to all members of the Council was agreed upon. The last part of your statement, which was made after the quotation marks of the text were closed, was not agreed upon among members of the Council. Furthermore, it is in fact contrary to the understanding of most members of the Council. For that reason, this latter part of your statement, Madam, is the viewpoint of the United States delegation.

7. The PRESIDENT: I would point out to the representative of the Soviet Union that the last statement was made in my capacity as President of the Council.

8. The representative of Jordan made the statement in the consultations as the co-ordinator of the non-aligned members of the Council for this month.

9. I now call on the representative of the Libyan Arab Jamahiriya.

10. Mr. TREIKI (Libyan Arab Jamahiriya) (*interpretation from Arabic*): I knew that the United States representative would not adhere to moral rules or to the norms by which the Council has always been guided. First, as President of the Council, when the United States representative summoned the Chadian representative, she should have summoned the Libyan representative as well. However, she did not do so, in disregard of the most rudimentary rules of objectivity. Secondly, in a conversation with the head of the Jordanian delegation, Chairman of the Group of Non-Aligned Countries for this month, I mentioned to him that the United States representative would not respect the rules of the presidency and would add words of her own, which she actually did. I asked him to contact her to make sure that she would adhere to the text agreed to. He promised me that he would convey that to her. However, she did not accede to the request. I wish to put on record that Libya does not recognize what has been stated by the United States representative beyond the text of the statement. We shall never deal with her, because she lacks objectivity and impartiality.

11. The United States resort to pressure tactics, the summoning of ambassadors and the bringing of pressure to bear in various capitals is a matter well known to all. The United States representative should at least have emulated her predecessor's efforts and objectivity. I wish to put on record here my appreciation and thanks to the representative of the United Kingdom for his objectivity. I should have liked to see at least the same objectivity displayed by the United States representative.

12. I reiterate and emphasize that the last paragraph read out by the United States representative as President of the Council is not accepted by my country. My country will never deal with her and will recognize only what has been adopted by the Council.

13. The PRESIDENT: I might say for the record that the President of the Security Council took no initiative to convene a meeting with the representative of Chad. The representative of Chad in fact took an initiative to which the President responded. The President would of course make it a practice to respond promptly and courteously to all initiatives of all Members of the United Nations during our period in the occupancy of this important office.

14. As regards the final statement with which I followed the agreed-upon consensus, it conforms with the provisional rules of procedure of the Council concerning agenda items and to the practices of the presidency.

The meeting rose at 1.50 p.m.

Litho in United Nations, New York 00300 60205—December 1990—2,050